

Also, petition of Charles A. Story, of Chicago, Ill., in favor of House bill 303—to the Committee on Education.

By Mr. STEELE: Petition of soldiers of the Fifteenth United States Infantry, of the Seventeenth United States Infantry, and of the Second United States Cavalry, asking that retirement of enlisted men be after twenty-five instead of thirty years' service—to the Committee on Military Affairs.

By Mr. J. M. TAYLOR: Petition of Harriet E. Jones, of Nancy R. Price, widow of Stephen N. Price, deceased, and of Margaret E. Price, of Henderson County, Tennessee, for relief—to the Committee on Invalid Pensions.

Also, petition of E. J. Timberlake, administrator of P. R. Small, deceased, of Henderson County, Tennessee, asking that his case be referred to the Court of Claims—to the Committee on War Claims.

By Mr. ZACH. TAYLOR: Petition of heirs of William Moulden, deceased; of John W. Moulden, of Knox County; of John M. Holt and of Lewis Howery, of Hamblen County; and of William P. Long, of Grainger County, Tennessee, asking that their claims be referred to the Court of Claims—to the same committee.

By Mr. VANEATON: Petition of Leopold Beckart and of Mrs. Anna M. Montgomery, to refer her claim to the Court of Claims—to the same committee.

By Mr. WHEELER: Petition of John C. Hammond, of Lauderdale County, Alabama, asking that his war claim be referred to the Court of Claims—to the same committee.

## SENATE.

THURSDAY, December 9, 1886.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.  
JONATHAN CHACE, a Senator from the State of Rhode Island, appeared in his seat to-day.

The Journal of yesterday's proceedings was read and approved.

### EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Director of the Mint recommending the repeal of the statutory limit to the coinage of subsidiary silver coin; which, with the accompanying papers, was referred to the Committee on Finance and ordered to be printed.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a communication from the Treasurer of the United States, transmitting, in compliance with section 311 of the Revised Statutes, accounts rendered to and settled with the First Comptroller for the fiscal year ended June 30, 1886. Accompanying this communication is a large bundle of papers. The communication will be printed and laid on the table, and the question of printing the remaining documents will be referred to the Committee on Printing.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting documents in the land claim in New Mexico known as the Ojo del Ariel tract, José Sutton, claimant; which, with the accompanying documents, was referred to the Committee on Private Land Claims.

### HOUSE BILLS REFERRED.

The following bills, received yesterday from the House of Representatives, were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (H. R. 7192) to provide a school of instruction for cavalry and light artillery, and for the construction and completion of quarters, barracks, and stables at certain posts for the use of the Army of the United States; and

A bill (H. R. 1171) to amend an act entitled "An act to provide for the muster and pay of certain officers and enlisted men of the volunteer forces," approved June 3, 1884.

The bill (H. R. 7990) for the relief of Thomas C. Dickey was read twice by its title, and referred to the Committee on Claims.

### WEST POINT GRADUATES.

The PRESIDENT *pro tempore* laid before the Senate the amendment of the House of Representatives to the bill (S. 1424) for the relief of the graduates of the United States Military Academy, which was to strike out all after the enacting clause and insert:

That every cadet who has heretofore graduated or may hereafter graduate at the West Point Military Academy, and who has been or may hereafter be commissioned a second lieutenant in the Army of the United States, under the laws appointing such graduates to the Army, shall be allowed full pay as second lieutenant from the date of his graduation to the date of his acceptance of and qualification under his commission, and during his graduation leave, in accordance with the uniform practice which has prevailed since the establishment of the Military Academy.

Mr. SEWELL. I move that the Senate concur in the amendment of the House of Representatives.

The amendment was concurred in.

The PRESIDENT *pro tempore*. The House of Representatives also amended the title of the bill so as to make it read: "A bill for the relief of graduates of the United States Military Academy, and to fix their pay." The amendment to the title will be agreed to, if there be no objection.

WILLIAM WARD.

The PRESIDENT *pro tempore* also laid before the Senate the amendment of the House of Representatives to the bill (S. 1990) to provide for the adjustment of matters connected with certain judicial proceedings in Pennsylvania in which the United States was a party.

The amendment was to add to the bill the following proviso:

*Provided*, That the amount allowed shall not exceed the sum of \$3,000.

Mr. CAMERON. I move that the Senate concur in the amendment of the House of Representatives.

The amendment was concurred in.

### ADJOURNMENT TO MONDAY.

Mr. CAMERON. I move that when the Senate adjourn to-day it be until Monday next, at 12 o'clock.

Mr. HOAR. I hope that motion will not be agreed to.

Mr. VAN WYCK. And I trust not.

Mr. INGALLS. Oh, no.

Mr. ALLISON. Oh, no; let us not do that.

The PRESIDENT *pro tempore*. The motion is not debatable. The question is on agreeing to the motion of the Senator from Pennsylvania. [Putting the question.] The yeas appear to have it.

Mr. CAMERON. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. MILLER. I desire to present some morning business. I wish to present a petition, which I presume is in order.

The PRESIDENT *pro tempore*. Not until after the pending matter is disposed of. The Secretary will call the roll.

Mr. MILLER. Is this the regular order?

The PRESIDENT *pro tempore*. It is the regular order.

Mr. HOAR. I hope the Senator from Pennsylvania will withhold his motion for the time being, and bring it up later in the day.

Mr. CAMERON. It may just as well be voted on now as later in the day.

The PRESIDENT *pro tempore*. The yeas and nays have been ordered, and the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. HARRISON (when his name was called). I am paired with the Senator from Arkansas [Mr. JONES], who is detained from the Senate by sickness.

Mr. BERRY (when the name of Mr. JONES, of Arkansas, was called). My colleague [Mr. JONES, of Arkansas] is detained by sickness, and is paired with the Senator from Indiana [Mr. HARRISON].

The roll-call was concluded.

Mr. BERRY. The Senator from Texas [Mr. COKE] is sick and unable to be here. He is paired with the Senator from Kansas [Mr. PLUMB].

Mr. CONGER. I take this occasion to announce that my colleague [Mr. PALMER], who is necessarily absent, is paired on political questions with the Senator from North Carolina [Mr. VANCE]. He is not paired on this question, of course; but I make the announcement now that he is paired until his return.

The result was announced—yeas, 23; nays, 22; as follows:

### YEAS—23.

Beck,	Gibson,	Manderson,	Sawyer,
Blackburn,	Gorman,	Mitchell of Ore.,	Sewell,
Cameron,	Hale,	Mitchell of Pa.,	Vest,
Chace,	Harris,	Payne,	Whitthorne,
Cockrell,	Kenna,	Platt,	Wilson of Iowa.
Dolph,	McMillan,	Ransom,	

### NAYS—22.

Allison,	Dawes,	Ingalls,	Spooner,
Berry,	Eustis,	Miller,	Van Wyck,
Blair,	Frye,	Morrill,	Walthall,
Call,	George,	Plumb,	Williams.
Conger,	Hawley,	Saulsbury,	
Cullom,	Hoar,	Sherman,	

### ABSENT—31.

Aldrich,	Edmunds,	Jones of Nevada,	Riddleberger,
Bowen,	Evarts,	Logan,	Sabin,
Brown,	Fair,	McPherson,	Stanford,
Butler,	Gray,	Mahone,	Teller,
Camden,	Hampton,	Maxey,	Vance,
Cheney,	Harrison,	Morgan,	Voorhees,
Coke,	Jones of Arkansas,	Palmer,	Wilson of Md.
Colquitt,	Jones of Florida,	Pugh,	

So the motion was agreed to.

### PETITIONS AND MEMORIALS.

Mr. HOAR. I present the petition of Charlotte K. Sibley and others, heirs and personal representatives of Henry H. Sibley, praying for the passage of the bill (S. 909) for the relief of Henry H. Sibley. The bill is upon the Calendar, and has been reported, but the petition states the death of the claimant and some reasons why the bill should be amended, and I therefore move the reference of the petition to the Committee on Claims.

The motion was agreed to.

Mr. MILLER presented the petition of Clara G. Scott and other citizens of New York, praying for the passage of a bill granting certain relief to Clara G. Scott; which was referred to the Committee on Military Affairs.

Mr. HALE presented the petition of Abel D. Russell, a citizen of Weld, Me., praying that his name be placed on the pension-roll; which was referred to the Committee on Pensions.

Mr. LOGAN presented the petition of the Swift's Chicago Beef House on Harlem River, J. Homer Hildreth, and 103 other citizens of New York, in favor of the passage of a joint resolution authorizing the Secretary of War to contract with Charles Stoughton for the entire work of improving the Harlem River, New York, for a sum not exceeding \$1,495,000, the work to be completed July 4, 1889; which was referred to the Committee on Commerce.

#### BILLS INTRODUCED.

Mr. McMILLAN introduced a bill (S. 2930) authorizing the construction of a bridge across the Red River of the North; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MITCHELL, of Oregon, introduced a bill (S. 2931) granting a pension to John Walters, alias Jacob Kuntz; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2932) granting a pension to James D. Kirkpatrick; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SEWELL introduced a bill (S. 2933) to authorize the redemption by the United States of the silver coin known as United States trade-dollars under certain stipulations; which was read twice by its title, and referred to the Committee on Finance.

Mr. COCKRELL introduced a bill (S. 2934) in relation to the binding of certain public documents; which was read twice by its title.

Mr. COCKRELL. I desire to call the special attention of the Committee on Printing to this bill and hope that they will take speedy action upon it. The bill provides—

That the Public Printer be, and he hereby is, directed, in the binding in sheep of the executive and miscellaneous documents and reports of committees, so far as practicable to print on the back thereof the title or titles of the documents or reports therein contained.

This is to my mind a very great omission in the publication of these documents. I have now in my hand a document which has just been placed on our tables, "Report of the Secretary of the Interior, volume 2, 1885." There is nothing, when that is in a library, to indicate what the volume contains. There are five volumes of the report of the Secretary of the Interior for 1885, and those five volumes have each the same inscription on the back and nothing to indicate whether a volume contains the report of the Commissioner of the General Land Office, the Commissioner of Indian Affairs, the Commissioner of Pensions, the Commissioner of Patents, or the Commissioner of Education. Now, we have a volume of the report of the Secretary of the Interior which contains alone the report of the Commissioner of Education, and yet there is nothing on the back to indicate what it is.

It seems to me that this is a great oversight, and I ask that the Committee on Public Printing will take notice of this and recommend the enactment of this proposed law, so that we may have some little indication on the back of a volume as to what the contents of it are.

This volume No. 2, of 1885, Report of the Secretary of the Interior, contains the report of the Commissioner of Indian Affairs, the report of the superintendent of the Yellowstone Park, the report of the superintendent of the Hot Springs, the report of the Utah commission, and of the governors of Arizona, Alaska, Dakota, Idaho, Montana, New Mexico, Utah, Washington, and Wyoming Territories; the report of the governor of Wyoming concerning Chinese labor troubles; and also the report of the directors of the Union Pacific Railway Company.

I move that the bill be printed and referred to the Committee on Printing.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 2935) granting a pension to Robert Baxter; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL. I present in connection with that bill, and to accompany it for reference to the Committee on Pensions, a petition of the judges of the county court of Jackson County, Missouri, and other officials and citizens, praying that a pension be granted to Mr. Baxter, now totally blind, poor, and dependent upon the charities of the world. The petition is accompanied by two affidavits of Silas M. Hillard, two of J. W. Rider, and two of James D. Meador; an affidavit of Dr. L. W. Twyman, an affidavit of Mr. Baxter himself, and an affidavit of sundry other citizens. I move that the petition and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. McPHERSON introduced a bill (S. 2936) granting an increase of pension to Benjamin T. Phillips; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MORGAN introduced a bill (S. 2937) for the relief of the Selma and Meridian Railroad Company; which was read twice by its title, and referred to the Committee on Claims.

Mr. McPHERSON introduced a joint resolution (S. R. 85) author-

izing and directing the Secretary of War to lease to the National Hotel Company of New Jersey certain land in Monmouth County, New Jersey; which was read twice by its title, and referred to the Committee on Military Affairs.

#### HIRAM BERDAN.

Mr. PLATT. I desire at this time, if it be in order, to submit a proposed amendment to a bill for printing, and I should like to make a short statement in relation to it.

During the closing days of the last session there came up in its order, under the eighth rule, a bill reported by the Committee on Patents, authorizing the Court of Claims to take jurisdiction and render judgment in the case of the claim of Hiram Berdan. It was objected to by the Senator from Vermont [Mr. EDMUNDS], but was passed over without prejudice. On conference with the Senator from Vermont, his objections have been relieved by the amendment which I propose.

I ask that the amendment be printed, and I shall endeavor, at the next sitting of the Senate, to call up the bill for action.

The PRESIDENT *pro tempore*. The Senator from Connecticut submits an amendment intended to be proposed to the bill (S. 2619) authorizing a settlement of the claim of Hiram Berdan, assignee of the Berdan Fire-Arms Manufacturing Company, and asks that it be printed and lie on the table. If there be no objection, that order will be made.

#### COLUMBIA RIVER SALMON FISHING.

Mr. MITCHELL, of Oregon. I submit a resolution for reference to the Committee on Commerce.

The resolution was read and referred to the Committee on Commerce, as follows:

Whereas it is alleged by persons interested in the commerce of the Columbia River that sundry persons engaged in the business of salmon catching on that river have erected certain structures known as salmon traps and salmon wheels, and that sundry other persons engaged in such salmon fisheries on said river have from time to time during the salmon season placed salmon gill-nets of large dimensions in the waters of said river at various points and places; and

Whereas it is alleged that said wheels, traps, and gill-nets are obstructions to the commerce of said river and seriously interfere with the navigation thereof:

Resolved, That the Secretary of War be, and he is hereby, directed through the proper Engineer Bureau of his Department to investigate the subject of the salmon fisheries on the Columbia River in the State of Oregon and Washington Territory, the manner in which carried on, whether by gill-nets, traps, or wheels, in what manner the same are placed or used in reference to the navigable waters of said river, and to report to the Senate at the earliest practicable convenience whether such traps, wheels, or nets, or any of them, and which class, in any manner and in what respect and to what extent interferes with or obstructs the navigation of said river and its commerce.

#### METROPOLITAN RAILROAD COMPANY.

Mr. VAN WYCK. At the request of many citizens of Washington, who are compelled to ride on the Metropolitan Railway line, I ask leave to offer a resolution directing the Committee on the District of Columbia "to inquire whether the Metropolitan Railroad Company neglected to run cars on their road north of Dupont Circle, on Connecticut avenue, on Sunday, Monday, and Tuesday, December 5, 6, and 7; if so, the reason therefor." Also, whether the cars are generally run on said portion of that road only between 8 o'clock in the morning and 8 o'clock in the evening.

This is only one of a few of the grievances which the people of this city are subjected to by reason of the determination of this company to run their road first, second, and last for their own especial benefit, without regard to the convenience of the public, which when they were incorporated was supposed to be the first matter to be considered. The people of this city are unable to find anywhere relief from this determination and the exactions of this company. They have very many other grievances which I think have been heretofore enumerated, and I believe the chairman of the Committee on the District of Columbia expressed a determination, as the citizens will be rejoiced to know, to investigate the matter of motive power upon this and the other street-car lines.

Now, it is a notorious fact, which every member of Congress knows and every citizen who unfortunately has to ride over this road knows, that their cars are overloaded, their horses and drivers are overworked, and the patrons of the road are overworked in discharging the duty of conductor, as they are required to do, willing or unwilling. There seems to be no relief for this unfortunate people—200,000 of population here, yet they are powerless. Actually on every trip made over this road every person from Georgetown or Dupont Circle is required to give ten minutes of his time—ten minutes actually stolen—because this company, now rich, full of large dividends, insist upon carrying their cars full with a small broken-down horse that has to pause to a walk at every grade; and therefore ten minutes are actually stolen out of the time of every citizen compelled to ride upon this road. A road which will not transport its passengers with the same speed that an ordinary dray team would a heavy coach or omnibus certainly deserves to be interfered with by Congress when the people have no power themselves.

I merely mention that in connection with other grievances which this people are called upon to bear. I have been at a loss to know, and so have they, why, when a car is loaded beyond its full capacity, often with twenty-five passengers, and a horse staggering under the load, the passengers must be required to perform the duty of con-



ductor, passing over one another's shoulder 25 cents to get tickets, and then a passenger generously opens the package and starts the coveted ticket toward the box, and then having the other passengers staggering with the package of unused tickets back to the rear of the car to give it to the passenger clinging for dear life to the props for human support. Yet this people must be subjected to this grievance because they have no power in themselves to reach it.

I have had occasion before to say, what is not necessary to repeat, that this corporation has these people by the throat and compels them, and compels every man who rides, to do a conductor's duty.

Therefore, I ask that the resolution may be adopted at this time, and then it is to be hoped that this people will secure some redress from other grievances of which they complain.

The PRESIDENT *pro tempore*. The resolution will be read.

The Chief Clerk read the resolution as follows:

*Resolved*, That the Committee on the District of Columbia be directed to inquire whether the Metropolitan Railroad Company neglected to run cars on their road north of Dupont Circle on Connecticut avenue on Sunday, Monday, and Tuesday, December 5, 6, and 7; if so, the reason therefor. Also whether cars are generally run on said portion of road only between 8 o'clock a. m. and 8 o'clock p. m.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

The resolution was agreed to.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 68) for the relief of William P. Chambliss.

The message also announced that the House had passed a joint resolution (H. Res. 220) authorizing and directing the payment of the salaries of the officers and employes of Congress for the month of December, 1886; in which it requested the concurrence of the Senate.

#### ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore*:

A bill (H. R. 68) for the relief of William P. Chambliss; and

A bill (H. R. 6983) for the relief of certain soldiers of the Twelfth Michigan Volunteer Infantry, dishonorably discharged under Special Orders 92, War Department, Adjutant-General's Office, dated March 1, 1866.

#### NEW ORLEANS, BATON ROUGE AND VICKSBURG RAILROAD GRANT.

Mr. EUSTIS. I ask unanimous consent to give a notice of the postponement of a special order.

The PRESIDENT *pro tempore*. If there be no objection the Chair will receive it.

Mr. EUSTIS. At the last session, on my motion, the bill (H. R. 3186) which is a bill to declare the forfeiture of what is known as the Backbone-railroad grant, was made the special order for Monday, December 13. I know it is the desire of the Senator from Colorado [Mr. TELLER] to be present when the bill is considered. He is absent from the city. Therefore I move to postpone that special order to one week from next Monday, that is, to December 20, at 2 o'clock.

The PRESIDENT *pro tempore*. The Senator from Louisiana moves that the Senate proceed to the consideration of a bill, the title of which will be stated, with a view to its postponement.

The CHIEF CLERK. A bill (H. R. 3186) to declare a forfeiture of lands granted to the New Orleans, Baton Rouge and Vicksburg Railroad Company, to confirm title to certain lands, and for other purposes.

The motion was agreed to.

The PRESIDENT *pro tempore*. The Senator from Louisiana now moves that the bill be postponed to and made a special order for Monday, December 20, at 2 o'clock.

The motion was agreed to; two-thirds of the Senators present voting in the affirmative.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had concurred in the amendment of the Senate to the bill (H. R. 1905) for the relief of Theodore W. Tallmadge.

The message also announced that the House had passed a bill (H. R. 9183) for the relief of James R. Marrs.

The message further announced that the House had passed the bill (S. 1110) to relinquish the interest of the United States in certain lands to the city and county of San Francisco and their grantees.

The message also announced that the House further insisted upon its disagreement to the amendments of the Senate, insisted upon by the Senate, to the bill (H. R. 9798) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1887, and for other purposes, asked a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. FORNEY, Mr. RANDALL, and Mr. BUT-

TERWORTH, managers at the further conference on the part of the House.

#### TARIFF REVISION.

Mr. MORRILL. I desire to call up for present consideration the resolution introduced by me on Tuesday.

The PRESIDENT *pro tempore*. The Senator from Vermont moves that the Senate proceed to the consideration of the resolution submitted by him on the 7th instant, which will be read.

The Chief Clerk read the resolution as follows:

*Resolved*, That the promise of making any revision of the tariff in a spirit of fairness to all interests, not to injure any domestic industries, but to promote their healthy growth, so that any change of law must be at every step regardless of the labor and capital involved, and without depriving American labor of ability to compete successfully with foreign labor, and without imposing lower rates of duty than will be ample to cover any increased cost of production which may exist in consequence of the higher rate of wages prevailing in this country, appears so obviously hopeless and impracticable that any further attempts at revision by the present Congress, in contravention to the foregoing cardinal declarations, are to be regarded as inexpedient and detrimental to the revival of the trade and industry of the country.

The motion was agreed to; and the Senate proceeded to the consideration of the resolution.

Mr. MORRILL. Mr. President, it appears that some new Democratic leaders have determined upon a national contest on the tariff question. They would drag reluctant followers away from the example of the first act of the First Congress, away from the teachings of Jefferson and Jackson, as well as from the warnings of Tilden, away also from the latest Democratic national platform; and they demand that the United States shall humbly begin to copy the British dogma of free trade, notwithstanding it seems to be everywhere else tottering to its grave. The avoidance by these tariff reformers of all old issues may be wise, but it is not so clear that the new issue will be less calamitous than those issues from which they seek to escape, or which have heretofore ended in inglorious defeat. Neither the magnitude of the question nor the courage of those who flaunt free trade on their banner will be denied, for the reason that it obviously threatens nothing less than ruin and disaster to many of the great industries of the American people. Under these circumstances it would be cowardice to shirk the discussion so broadly tendered—a discussion wherein the Senate has not had, and may not have, any formal opportunity to participate; and regretting that the subject is not about to be handled by some Senator more competent than myself, I yet venture thus early to bring to the attention of the Senate what, as it appears to me, supremely concerns the enduring prosperity of our common country. Bearing in mind that the Senate may be assumed to know something about the tariff, I hope to escape from being wearisome by omitting much of what I do not know.

#### THE TARIFF BACKBONE OF THE DEMOCRATIC PARTY.

It is clear that the Democratic Presidential candidate in 1884 would have been defeated but for the protective-tariff backbone inserted in the Democratic platform by the national convention at Chicago, July 10, 1884, from which I take the following remarkable extract, now supposed to be too square-toed to make a literal compliance politically advantageous:

The Democratic party is pledged to revise the tariff in a spirit of fairness to all interests. But in making reduction in taxes it is not proposed to injure any domestic industries, but rather to promote their healthy growth. From the foundation of this Government taxes collected at the custom-house have been the chief source of Federal revenue. Such they must continue to be. Moreover, many industries have come to rely upon legislation for successful continuance, so that any change of law must be at every step regardless of the labor and capital thus involved. The process of reform must be subject in the execution to this plain dictate of justice—all taxation shall be limited to the requirements of economical government. The necessary reduction in taxation can and must be effected without depriving American labor of ability to compete successfully with foreign labor, and without imposing lower rates of duty than will be ample to cover any increased cost of production which may exist in consequence of the higher rate of wages prevailing in this country.

These strong pledges, pregnant with fair-minded protection in every sentence, were introduced into the Democratic platform through the insistence of protective-tariff Democrats, who are now receiving vitriolic denunciations from the late half-breed allies of free trade, because of their honest efforts to prevent their party from violating pledges upon which their national co-operation was based, and upon which the party obtained its victory by a majority of only a finger's breadth. Before the election, in the words of Rabelais:

The devil was sick, the devil a monk would be.

But after the election,

The devil was well, the devil a monk was he.

Promises to associates are said to bind the honor of a class not to be named by me, and assuredly should have bound that branch of the Democratic party which prides itself on "tariff reform;" but forgetting they had solemnly declared that "it is not proposed to injure any domestic industries, but rather to promote their growth," we find instead that their conduct bore no reference to their creed, and they were ready not only to injure, but to injure fatally, whatever they touched, as was shown by their latest edition of tariff bills, which proposed to repeal all duties upon imported wool and hemp, as well as upon salt and fish, flax and flax straw, jute and jute butts, and lumber—a measure which at one blow would blot out all of these "domestic industries," vital to the

prosperity of all portions of our country, and stampede them directly into alien hands.

When business of all kinds is moving in a normal condition of general contentment, neither excited nor depressed, a change in tariff laws, by which trade and industrial affairs are to be governed or affected, is ever unwelcome, and only to be justified when promising great, immediate, and palpable benefits, as any change must to some extent dislocate the regular and ascertained results of all industrial establishments. But to propose such a change when business affairs have been unusually depressed, when trade everywhere has offered only meager inducements, when wage-earners find steady employment uncertain and unsatisfactory, but showing signs of improvement, it would seem peculiarly inauspicious. Statesmen, with any broad view of the general welfare, especially those suddenly dressed in brief authority, should be wary about pushing legislative measures which would have no other effect than to multiply obstacles in the way of a revival of business, increase the losses and timidity of capital and enterprise, and break the hope of laboring men. And yet it would seem that the party of free trade, under the alias of "revenue reform," has determined to run amuck against nearly all the industries and productions of America, and such as escape the first assault could not hope for immunity from the next.

A sudden and violent reduction of the tariff subjects all stocks on hand to sudden and violent depreciation, and forces many people into bankruptcy, or to abandon their life-long occupations only to crowd labor and capital into other employments, perhaps already overstocked and unremunerative.

#### OBJECTIONS TO WILD EXPERIMENTS.

The foremost objections to the proposed reductions of the tariff, however small the reduction, are that they were supremely ill-directed and wholly at war with American industries, and that according to the estimates of the Treasury Department there did not appear to be any surplus of revenue to spare. The revenue, as estimated by the present administration, was to be \$315,000,000, and the estimated regular annual and permanent appropriations were \$339,589,552, and the actual amount appropriated for 1887 was \$328,000,000, although not including a dollar on account of fortifications or for coast defenses. Notwithstanding these stubborn records, a reduction of revenues was proposed in the face of a deficit, as was clearly disclosed by their own highest authority, of \$24,589,552, and this estimated deficit the revenue reformers sought to increase.

A deficit, whether really imminent or not, can not now be denied by those who originally proposed a reduction of the revenue, for they subsequently very ostentatiously sought to avoid it by threatening the attachment of an amendment to pension bills, a sort of legislative-swivel veto, imposing new taxation to cover the full payment of any bill that increased pensions, or of any grant to persons not previously entitled by law to pensions. Their belated patriotic foresight was, however, rather incongruous. To reduce taxation was the primary object, as we were assured, of all their early efforts; but their ultimate side-show was to increase taxation and the revenue in order to save the Treasury from bankruptcy, and the Executive, possibly, from a too prolific brood of pension vetoes. These several incoherent conclusions find, perhaps, their only support in the terms of Poo-Bah's celebrated verdict:

So now you'll all agree  
That he was right,  
And we were right,  
And you were right  
As right could be.

It may be true that a larger revenue will be received than was estimated; and, if so, it will have been mainly derived from duties on imports—a fact which by no means would tend to prove that the existing rates of the tariff were excessive and urgently requiring reduction, but proving that a reduction might still more, through an increase of imports, augment the excess of revenue.

To the scheme of a radical and permanent reduction of the revenue there are other objections (and objections are as plenty as blackberries), one of which is, that the reduction necessarily implies a long postponement of the payment of the public debt, and the non-fulfillment of the pledge, given by the statute, of an established sinking fund. Surely no policy should find favor by which a permanent debt is to be indefinitely left riveted upon the country.

#### STRUCTURAL WEAKNESS OF FREE-TRADE TARIFF BILLS.

There appears to have been, if I may say so, a "structural weakness" in Democratic free-trade tariff bills. The framer of some of these bills seems to have expected that free trade brought across the Atlantic, like spirits after a sea-voyage, would be so mellowed as to make it more palatable. He began with homœopathic doses, horizontally administered, as if dreading to excite an outcry; and, like the English parson, described by Selden, "baptized his own fingers rather than the child."

The ill-born horizontal schemes—first 10 per cent., and then 20 per cent.—by which it was at first proposed to change, but not to amend, the existing tariff, were not limited to a few articles; but, while equally cutting and bleeding nearly all the duties upon imported articles, copying

the Sangrado specific in every case, with nothing of "Tariff Reform," or of computable advantage to consumers, proposed to reduce the tariff just low enough to let a flood of foreign productions pour in and overrun the American market. These measures not having inspired love at first sight among members of a House anxious to escape a "Waterloo" on the 10th of November, the juvenile play of Bo-peep commences—now the horns peep out, now they hide for safety—and an amended bill was hurriedly brought to the front, where the horizontal jumped to the perpendicular, and all about iron dropped out of sight for safety. The authors, rough-hew it how they would, seem to have been suddenly taught, in the words of an eminent political teacher,

What perils do environ  
The man that meddles with cold iron.  
IRON HARDER THAN WOOL.

The architects of these various unrelated reform-tariff bills—the last one of which being always at war with its predecessors—finally reached the conclusion that iron had more gravity and that its impact was more to be dreaded in any political contest than wool, from which, therefore, they abruptly proposed to withdraw all tariff protection. The farmers were accordingly selected as the victims of the new experiment. In order that there should not be a rag of protection left, it was proposed that not only all wools, but woolen rags, shoddy, waste, and mungo, and wool on the skin, should also be admitted free. No revenue from rags and shoddy! What ringing watchwords to carry admiration without limit are these of tariff reform! Rags and shoddy free, and oleomargarine may come next.

#### WOOL AND SHODDY.

The annual clip of wool since 1861 has increased from 60,000,000 pounds to over 320,000,000 pounds. Protection has not only magnificently increased the product, but has wonderfully improved the quality; and the supply of nearly every variety required by American manufacturers can now be furnished, with the single exception of coarse carpet-wools. This vast interest, deeply identified with all portions of our country, is thus exposed to absolute annihilation by the proposed free-trade reform. The husbandmen whose flocks require winter feeding can not compete with those in Australia and South America, where no such feeding is required; and when American sheep-husbandry shall have been banished from the fields where it now prospers, the land can only be devoted to wheat or corn, for which there is no profitable market visible at home or abroad, and our prairie farmers would soon become the tenants at will of foreign landlords. It may be that the lamb-like submissiveness of wool-growers has been overestimated. In numbers they have a giant's strength, and may not consider it tyrannous to use it in self-defense.

#### HEMP AND FLAX.

Another industry of no mean importance, which it is also proposed by the free-trade reformers to destroy root and branch, is that of hemp and flax, for these also are to be wholly deprived of protection. In Missouri and Kentucky hemp is a staple product which gives employment to large numbers of the colored people through the long winter months, when no other work is in season. My excellent friend, the distinguished Senator from Kentucky, has a fancy that he is at his best when he is assailing the present tariff and fixing it up for "revenue only." He holds that, as Bishop Berkeley held tar-water, to be a remedy for all diseases. I do not question his great ability nor his sincerity; and when he shall be gathered to his people, which I hope will not be until he has reached the longest record to be found in sacred history, I have no doubt there will be found engraved on his heart the words, "A Kentucky tariff for revenue only." But what is he to do with that free-trade reformer who proposes to make hemp free? I think I can hear him, with something of old Scotia's emphasis, repeating Shakespeare's words:

Let hemp suffocate his windpipe.

#### FARMERS TREATED WITH CONTEMPT BY THE FREE-TRADERS.

In all these experimental tariff-reform bills farmers are treated with contemptuous injustice, and their products are branded as unworthy of the slightest protection. Corn, oats, hay, and potatoes have appeared on the perilous edge of the free-trade bills. At first they were put on the free-list, and then apparently granted a reprieve until the next installment; but, like the companions of Ulysses, they are all in the same cave with the one-eyed monster, Polyphemus, and threatened to be hereafter successively devoured.

#### THE AMERICAN FISHERIES.

Our fisheries, from the earliest days of our history regarded with national pride and solicitude, it is now proposed by the latest of these bills to abandon and surrender to our affectionate and rather demonstrative northern neighbors a free and their only market, for which they have so long fiercely but vainly struggled, and for which they have often been willing to tender many so-called equivalents. All is now legislatively offered without any reciprocity, without money and without price, as a boon to the parties who have rudely seized, the past year, so many of our defenseless fishing-vessels, and so often insulted our flag. Further diplomacy, after this proposal of unconditional legislative surrender, will no longer puzzle the State Department, and we ought to be loved as we can not be feared. Certainly no copyright need to be secured



on these tariff-reform bills, as the distinguished authors are likely to long enjoy a monopoly of their models.

#### NOT OVERPRODUCTION, BUT OVERIMPORTATION.

It has often been asserted that the recent dullness of American trade was caused by an immense overproduction of American manufactures; but so long as the report of the Treasury Department shows that we annually import manufactured articles to the amount of \$379,987,472, nearly all of which might as well have been produced at home, this overproduction statement must lie, and be located elsewhere. Our total imports of 1886 were \$635,436,136, and of these all but \$255,448,664 were in manufactured articles. The manufactures of wool imported into the United States for the year ending June 30, 1886, were valued at \$41,421,319, and not only displaced an equal amount of our domestic woolen manufactures, but deprived our wool-growers also of a market for not less than 120,000,000 pounds of wool contained in the woolen fabrics imported. Clearly the evil from which we have suffered has not been so much from overproduction as from over-importation. Our people could not fail to find a much larger market at home if they were not crowded out by the overproduction of foreign machinery, from which free-trade reformers seek no relief.

#### CAPITAL IN FARMS, AND THE LABORERS.

The aggregate capital of our people invested in farms, including lands, fences, and buildings, is a trifle over \$10,000,000,000, and this immense capital can not fail to become sadly depreciated unless the home market for agricultural products shall be not only maintained but augmented. The wheat from India and Australia, produced by laborers at one-eighth of what is paid to laborers in Texas or Georgia, appears to be obtaining all those foreign markets hitherto open to our farmers, and at this crisis the agitators of free trade are insidiously attempting to sap and undermine our home market by the deprivation of large bodies of home consumers of their accustomed means of livelihood. So much protection as is necessary for the full retention of those employed in manufactures is unequivocally for the benefit of agriculture. They are just as indispensable for the consumption of the crops as is the live-stock of the farmer.

#### CAPITAL IN MANUFACTURES, AND THE LABORERS.

It may be that some of those astride of their free-trade hobby, guided wholly by a British chart, and bespattering with mud whoever they meet on their way, underrate the numbers of those whose occupations they would either cripple or destroy. Most likely they have forgotten that, while the number of laborers employed in agriculture is large, or 3,323,876, the number of laborers employed in manufactures is also large, or 2,718,805, and only less by 605,071. The interests of these laborers are inseparably interlaced, and in spite of all misleading foreign devices, if the question is to be determined as a political one, they must be long go hand in hand to the ballot-box.

We have also nearly three billions of capital (\$2,775,412,345) invested in manufactures and the mechanic arts, giving useful employment to large and important numbers of our people. \* This capital is immovable, and must abide the fate that awaits it, survive or perish, in the general policy of the country, whether friendly or adverse. If that policy should continue to be friendly, this capital will be a working capital, a capital for wage-earners, and cover our country with countless blessings. If it should be adverse, all this fixed capital will be smitten with paralysis, and the multitude of vigorous workmen, finding their occupation gone, will be an army of the unemployed, and exposed either to idleness or to a much lower scale of wages, with all of its bitter train of miseries.

A large proportion of agricultural products are consumed by farmers on their own premises: but, according to the census of 1880, the amount sold was \$2,212,540,927; and yet the aggregate value of manufactures, aided by the giant water and steam power of machinery, was more than twice that amount. These vast American interests, illustrated by figures that tax human comprehension, must be affected from top to bottom by changes of the tariff; and even the fear of a change, when engineered by hostile hands, is disastrous and destructive to all hopeful enterprise. But our fearless tariff reformers appear to be as unmindful of the disturbances they may create as the little child who throws a pebble into the ocean at Sandy Hook, not knowing that a vibration will be sure to follow on to the farthest shore of the Atlantic. Moved by partisan inspiration much more, it is to be feared, than by practical experience, it is not wonderful that the audacity of such meddlers, having won no applause from opponents, should have provoked some pungent criticism even from their political friends. But the candor of tariff and anti-tariff Democrats, it must be admitted, is conspicuous: they never speak well of one another.

#### WAR TAXES REDUCED LONG AGO.

It is sometimes arrogantly declared that it is time that "war taxes" were reduced; as though they had not been already repeatedly reduced. In 1866 our receipts from all sources were \$558,032,620.06. Since that time the tariff has been reduced, and all internal revenue, except that from spirits and beer and a moiety of that from tobacco, has been wholly abandoned; and the amount from the tariff and internal revenue in 1885 was \$293,969,664.88, which shows that we have relinquished taxation

since the close of the war by an amount nearly equal to all that is now collected. I suppose the continual loud barking about "war taxes" will even eclipse that of Mr. Beecher's dog, which, he said, barked at the hole for several days after the squirrel had gone.

#### PROTECTION REQUIRED MOST FOR THE GENERAL WELFARE.

It is true that many American products have outgrown protection, and neither receive nor covet it. But, while all home manufactures have been wonderfully cheapened, foreign competition has become unbounded, and protection against underpaid foreign labor can not be abandoned. It requires, therefore, an extensive acquaintance with the entire products of the world, and special skill on the part of those who are about to revise and readjust tariff rates, subtracting here and adding there, in order to be absolutely just to the Government as well as just to all parties whose interests and daily avocations are so greatly concerned. Interests so deep and far-reaching should be intrusted to friends, and not wholly to those who care not for them—certainly not to those who have shown a purpose to strangle them. Protection is not required solely for or by manufacturers, but for the industrial autonomy of the nation, for the general welfare of the whole country; and a revision of the tariff calls for much patient labor, and should be grounded upon established facts, instead of upon a theory which makes statistics and our history and experience all go for nothing.

#### NOT REQUIRED TO LOVE THY NEIGHBOR BETTER THAN THYSELF.

In my humble career in relation to the tariff as long supported by me, I have found no command to "love thy neighbor better than thyself;" but I have found, what I hope may be the universal promptings of patriotism and philanthropy, to urge on that pronounced tariff policy which, while offering an ample revenue for the support of the Government, aims also to advance the prosperity, power, and glory of our country by developing the full forces, material and intellectual, of all and every part of its people, and which furnishes "the fences to secure for labor profit, and to men at large the full enjoyment of the fruits of the earth." This policy holds out no exclusive favors, and no possible monopoly of trade, neither to persons nor places. It is a continental policy which embraces Augusta and Chattanooga as much as Lowell and Pittsburgh; San Francisco as much as Wilmington and Jersey City. All places and all persons are not only permitted but invited to enter the race, foreign lands and persons alone excepted; and yet the free-trader, like the Knight of the Sorrowful Countenance, still wages a windy battle against the wholly imaginary foe which he calls a "monopoly."

#### UNDEVELOPED RESOURCES OF SOUTHERN STATES.

In all of the so-called Southern States but two, only about one-third of the land has been improved; and even in Virginia and Kentucky there are millions of acres untouched by the plow. As all of these States have a superiority in climate, an abundance of labor, and by no means an inferior soil, ought this immense dead capital and all of its earth-hidden mining treasures, together with the unrivaled water-power of unnumbered rivers, to remain forever untouched and undeveloped?

But it will not be improved unless a market for the products shall be created at the threshold, and this can only be broadly created by that multiplication and diversity of employments which a protective tariff brings forth in home manufactures; but, instead of this, free-trade would blindly sow the seeds for an abundant crop of pauperism.

A new generation has appeared in the South, which offers a retreating support, in its new and emancipated condition, to the free-trade dogmas so long caressed and dominant under the ancient régime. The world does not stand still, but revolves. All alien or sectional embarrassments of our country have vanished. The idle man is no longer the only gentleman. The talent not buried in the ground finds its reward. Dogs in the manger are being kicked out. The factories, foundries, and machine-shops on the James River and on the Tennessee—as potential as those on the Merrimac and the Providence—are so many battering-rams, before which alien theories and crooked abstractions are tumbling down, to rise no more forever. Hostility to and destruction of these young but promising workshops involve something akin to the Herodian guilt of a slaughter of the infants. But the time will come when it will be said, "They are dead which sought the young child's life."

#### HUNGRY FOR CAPITAL.

Most of the Southern States claim to be in need of capital for new industrial establishments, and for the general development of their great natural, but slumbering, resources, which would more tempt Northern investments were it not for some distrust of their permanent safety, too often menaced by the approval with which some Southern leaders still appear to hail measures that hand over all such investments to be legislatively crucified. When the character of public opinion shall have become hospitable and fully ripened, the consummation of the valid hopes and demands of Southern States will not be long delayed.

#### THE IROQUOIS STILL AFTER AMERICAN SCALPS.

The Iroquois, still employed by the British to tomahawk Americans, might increase their riches and prosperity and pay proper taxes if they would only work; but they won't. They talk and reduce eco-



nomical discussion to a farce. They are constitutionally the "Indians not taxed." In the earliest years of our Government two or three million dollars for its support was regarded as more abundant than fifty or one hundred times that amount would be by the present administration. When the imports and rates of duties were small our wants were small. In this early period our settlements barely fringed the shores of the Atlantic; but since that time our citizens—leaping over the Alleghenies, beyond the Mississippi and the Rocky Mountains—have peopled the Pacific slopes so densely that no room can now be found for the Iroquois or even for a Chinese wedge. To support a free government in this New World of magnificent distances and of liberal institutions, a large revenue is necessary, and American progress constantly leaves fewer articles upon which revenue can be based.

The whole amount raised is used for the support of the Government, and for no other purpose. To this end duties upon imported foreign articles are imposed, and they bear very lightly upon our own people, as foreigners must bear a very considerable part of the burden before they can have any license here to sell their commodities. At the same time the duties are found to be a powerful stimulus to American enterprise, which soon brings forth similar articles either of better quality or at a cheaper price; and there is not now a single manufactured article which has ever received tariff protection that has not been vastly reduced in price from the competition arising therefrom. In the long run a protective tariff is, therefore, for the advantage of the consumer. The range of articles for popular consumption is enlarged and offered at popular prices. Beyond all doubt incidental foreign exclusion promotes American industries and their growth. Americans prosper by reason of this comparatively easy method of supporting the Government, and much more prosper by the policy which secures to the whole people profitable and diversified employments.

#### EXPORT TRADE NOT DEPENDENT UPON DUTIES ON IMPORTS.

The party slogan is, though nowhere supported by facts, that if foreign manufactures were permitted to come into our ports free of duties foreign ports would be opened to receive a greater amount of our export trade. This is everywhere contradicted by experience, and is not less absurd than it would be for our sailors, when the tide and wind were favorable for entrance only to our harbors, to start out for a tempestuous voyage at sea.

This stale theory is also refuted with mathematical certainty by the foreign-trade statistics of many other countries. Germany imported from Spain only to the amount of \$1,513,170, and yet her exports to Spain reached \$17,735,845. The exports of British home produce to Russia in 1882 were \$23,859,225, while the imports of Great Britain from Russia were \$105,238,610. This scanty recital might gain by indefinite expansion, and with like results, as to our exports and imports with Great Britain, Brazil, Japan, Cuba, and the Canadas, and wholly and forever disproves the allegation that our exports to any particular country are dependent in the slightest corresponding degree upon the extent of our imports. And yet this baseless argument, without one fact to stand on, has been repeated this season, and will be the next, both here and abroad, by every professor of English political economy; for they think as the heathen do, "that they shall be heard for their much speaking;" and these learned theorists, having no warm-heartedness for labor, are the stars among those specially endowed with an incapacity to earn, and who have never attempted to earn, a dollar by the sweat of the brow. Why is it that in Great Britain, the only pretentious paradise of free trade, their export trade has passed its zenith and seems to have been visibly declining, while that of the United States, where a protective tariff finds some support, has been largely gaining? Our exceptionally large imports of tea from Japan and of coffee from Brazil, wholly duty free, have signally failed to promote a corresponding reciprocity of our exports to those countries. The experiment has, therefore, been fully tested and indelibly branded with the figure of a cross.

It is not to be doubted that there are many American products which from their excellence and cheapness might find a ready market abroad, provided the producers would first study so much of utility as not to be distanced by England, and, second, so much of beauty as not to be distanced by France; but the producers having facilities for such productions, instead of idly complaining of dullness at home and calling upon Hercules for aid, should imitate the German and British traders and send out to foreign countries young men, and free-traders if possible, as traveling salesmen, to learn the language, the wants, and tastes of the people with whom a wider intercourse might be advantageous. Samples, not of slipshod, scamping work, but of their most attractive products, should be exhibited. Trade has grown to be exacting, seeks what will wear well as well as what is beautiful, and must be wooed to be won.

If manufacturers here have been in some respects remiss in courting foreign trade, they have this practical excuse, that the Government has refused all facilities to foreign markets by declining to establish on the ocean any adequate mail service by American vessels.

The argument of free-traders, as already stated, is that our domestic productions would find a wider foreign market if we were only to open our ports, through a reduction of the tariff, to a larger introduction of

foreign productions. But obviously the currents of the two streams, foreign and domestic, would then meet, and an overflowing flood could only be avoided by drying up or by entirely suppressing the conflicting American industries, which could not maintain their existence except on the lowest scale of wages paid to producers of like commodities abroad.

The whole idea appears to be that, by the abandonment of the prosperity we have at home, we might gain more abroad, and is quite on a par with the logic of Sir Boyle Roche, who said:

It would be better, Mr. Speaker, to give up not only a part, but, if necessary, even the whole of our constitution, to preserve the remainder.

#### IMMIGRATION NOWHERE FOLLOWS THE TRACK OF FREE TRADE.

If free trade leads to prosperity and protection to adversity, how does it happen, since 1860, that 2,910,067 of British subjects have emigrated and emigrated—not including those to India or to any other of the British colonies—to the United States? Forty thousand emigrants came to us in September last, and about the same number in October. But an American emigrant to Great Britain would be a curiosity worthy of preservation in the British Museum. There are no tracks in that direction.

Although we pay working men more than once and a half as much as they are paid in England, and twice as much as they are paid in Germany, yet our free-traders say that Americans are the cheapest workmen in the world because they do more work. Is it to be believed that an Englishman, as soon as he puts his foot on our soil, can do 50 per cent. more work than ever before, or that a German can do twice as much?

#### LABOR-SAVING INVENTIONS.

Americans have won an enviable reputation by their numberless inventions of labor-saving machinery, and by the genius displayed in original discoveries, that make up the milestones of the world's industrial advancement. No other people hold a better title to the use and profit of the utmost power of machinery than the people of the United States, nor will they consent to measures which tend to remand thousands of our people to hand-labor only. If, at times, there appears a redundancy of commodities, the result is a diminution of prices. The great advantage is that the extensive introduction of machinery and the protection of skilled-labor have marvellously reduced the cost of the necessities of life, and in many countries have also increased, not only the comforts and luxuries, but the longevity of mankind. Tireless engines take up the hardest work. Ingenious mechanism often snatches a grace beyond the reach of human hands. We look in vain, however, to find in the land of free trade so many healthy and happy dwelling-places, occupied by their intelligent owners, as to-day profusely decorate the American landscape and practically uphold the national wisdom and beneficence of a protective tariff.

#### ADAM SMITH AND HIS FREE-TRADE THEORY.

When Adam Smith brought out his great free-trade work, on "The Wealth of Nations," it was based on the state of things in 1776, when England was almost the sole possessor of manufactures, when provisions were double of their present cost, and wages perhaps not half as high, and when steam-power was comparatively unknown. Since that date wondrous inventions, vastly improved machinery, skillful mining, railroads, and the electric telegraph have revolutionized the industries as well as the political, commercial, and social relations of mankind. Smith himself, if alive to-day, would no longer abide by his own work, but would confess his short-comings, his errors of fact, and admit the falseness of his predictions and of his hypothetical argumentation. Were his premises admitted to be true as to England, they would still be shockingly untrue when applied to any other nation.

The sources of wealth have been multiplied and expanded and dignified by science and skilled labor. The British free-trade theory of the eighteenth century, with all of its later modifications and complexity, always isolated and impotent, is as unworthy of universal application, and, outside of the British Islands, is practically as moribund and obsolete as the spinning wheels and farming tools of that by-gone age; and its professors would now very properly appear in cocked hats, red waistcoats, and velvet breeches. Modern statesmen have everywhere discovered that they must adapt their measures to their own country, study its special wants, its aptitudes and natural resources, and not linger behind the spirit of the times. What may be wise and acceptable to-day may require some modification to-morrow. But the unchangeable finality of free trade scorns evolution, and adheres to its tallow candles, notwithstanding the world is illumined with electric light.

Free trade in Great Britain came at last as a British local necessity, but came with the advocacy of Cobden, for which he is said to have obtained a million dollars, seventy years after the work of Adam Smith, and not until extreme protection had accomplished the supreme object of placing British manufactures beyond the reach of any foreign competition then in sight. Their corn laws were repealed in 1846, because they kept the price of corn up to the starvation point, no matter how redundant the supply might be elsewhere. Their workingmen, mainly regarded by free traders as animals that have to be fed, must have cheaper bread or more wages. More wages could not be offered, as that,



by raising the cost of manufactures, would throw their foreign trade into the hands of rivals, and foreign trade was then, as it is now, their chief reliance for the support of a large proportion of their population. The pinching necessity for the repeal of the corn laws is shown by the fact that the British imports of corn and flour retained for home consumption in 1846 were 17 pounds weight per head of population, while in 1882 the imports were 241 pounds per head of population, and are likely to be more for the coming year.

The hereditary landlords would have preferred that one-half of their population, threatening to be dangerous to their waning class, should have emigrated to Hades or Halifax, but they had either to submit to free trade in corn or to retire from the rule of a great and aggressive empire. Free trade in corn, though a serious blow to British agriculture, was a heroic but temporary remedy for the threatened decadence of the British Government from the rank of the mistress of the seas to that of a second or third rate power. This remedy has nearly spent its force, and free trade has nothing more to offer. Other skilled manufacturing nations are coming to the front, and British workmen are still unprotected and discontented; and this fact is daily emphasized by the emigration of British subjects to the United States, where, under a protective tariff, they find a higher standard of comforts, free schools for their children, and better wages as well as much cheaper food.

#### SUPREMACY OF FREE TRADE IN IRELAND AND INDIA.

The present sorry condition of Ireland and of India, where their chief domestic manufactures have been altogether superseded by the superior capital and machinery of Great Britain, is the work of free-trade craftsmen, whose gospel in both places has had its ripest supremacy and fullest effect. The average yearly income of the inhabitants of India is estimated not to exceed \$7.50; and, having only this pittance, they are still forced to submit to the most grinding taxation. These people, the poorest on the globe, are made to pay annually over thirty million dollars of revenue on salt; and this great necessity of life can there only be obtained as the dearest of luxuries. Famines in India have long been periodic; and how long its hungry people can escape utter bankruptcy is a problem that even Englishmen are forced to consider. The orange has been squeezed and not much but the rind has been left. Home rule in India only lags in the rear of home rule in Ireland.

#### FREE-TRADE FALLACIES.

There is repeated contention, though a thousand times refuted, that our people have to pay the whole amount of the duties imposed upon articles imported, as well as an equal amount upon like articles of home manufacture. To show how false such a contention is, let me quote from a late report of our consul at Prescott, in Canada:

The moment the tariff is taken off, that moment hop-poles go up in price just the amount of the present duty. It is so with all exportations. Butter pays 4 cents per pound. It is 5½ to 6 cents less in price here than in American towns on the frontier. Potatoes pay 15 cents per bushel duty. They are 18 to 22 cents per bushel lower here than on the frontiers across the St. Lawrence.

This brief statement demonstrates that the foreign exporter, in all the instances cited, pays the whole duty; and he rarely fails to be subjected to a large part of such revenue contributions. It is notorious that Canadian exporters to the United States of cattle, horses, sheep, and wool always lose or pay the entire customs duty, and our people bear no burden whatever, except from the increased competition, which, of course, may diminish the price of the home stock. That all this is true is also indirectly proven by the fact that the chief complaint against our tariff has a single foreign origin—does not come from Germany, France, or from any other continental power, and does not come from home consumers. England, however, is clamorous for a reduction of the American tariff, and watches and eggs on her chances of free-trade here with more of selfish persistence than any of our own people. In the words of the Cobden Club, she "cannot rest while the United States are unsubdued."

The stale fallacy limping around with the phrase, "Buy where you can buy cheapest and sell where you can sell dearest," though often confuted, is still current among free-traders, but hardly merits respectful attention. As it requires two to buy or to sell, obviously here one side or the other must be cheated. In the mouths of the original propagators of free trade this fallacy put on a different shape, and the unconcealed intention was that other people, and especially Americans, should sell cheaply and buy dearly. To sell abroad, the first condition is to sell at a lower price than anybody else. Foreign trade can not otherwise be obtained. To achieve this result the whole world must be underbitten by the exporter and the product of home labor reduced to a lower cost than prevails in any competing country. The practical outcome of this branch of the fallacy offers little temptation except to those glittering in the rags of poverty, who already live from hand to mouth with no hope of ever doing more.

The other branch of the fallacy, to "buy where you can buy cheapest," is equally unsatisfactory, and rests on the assumption that it makes no difference in final results whether employment is given to labor and capital at home or abroad; but if we employ, for example, capital and labor in Virginia to produce a ton of iron and exchange it for half a ton of Virginia wheat, then it will be seen that we have secured the employment in Virginia of two capitals and of double the

amount of labor which would be employed if the wheat was sold and the iron purchased abroad. As usual the locomotion of free trade is on one leg, and very lame at that.

#### BRITISH REMEDIES FOR DEPRESSION OF TRADE.

The chief measures indicated in Great Britain, so far as I have noticed, as a remedy for the extraordinary shrinkage of their export trade, or for the preservation of their manufactures, appear to be, as presented by the testimony in the "Report of the Royal Commission," on the "Depression of Trade and Industry," a repeal of the law of Parliament which prevents the employment of children between 8 and 14 years of age, and a reduction of the wages of workmen, with an increase of the hours of labor.

Doubtless the easy exit and transfer of workmen from Great Britain to the United States has gradually compelled a large advance in the wages, as well as some reduction in the laboring hours of British workmen; but the terms still prevailing there are notoriously far less favorable to workmen than those offered in the United States; and yet the scale of wages on the continent is comparatively worse, or so much lower that British foreign trade is at many points wholly excluded. British newspapers, as well as the witnesses examined by the Royal Commission, loudly complain that their countrymen cannot compete with iron-workers in Belgium, where wages are 2s. 1d. per day of 16 hours, nor in Germany, where wages are 2s. 2d. per day of 15 hours, nor in Italy, where wages are 1s. 7d. for 16 hours; and, therefore, they seriously propose a reduction of wages for British iron-workers, and an increase in their hours of labor.

This is the stone instead of bread to be offered to workingmen, and the relief proposed for their protracted depression in trade; and it may be added that it is the only logical relief possible in the land of free trade, where those who labor must exclusively endure all the sacrifice for those who buy. British laborers must have a fiercer struggle for existence and contrive to live more coarsely. Free trade has no pity and scorns all duties, moral as well as financial. Would American workingmen consent to be placed on a level competition with the workmen of Germany or of Italy? Beyond all question nothing else awaits the end of a "tariff for revenue only," which is the Democratic euphemism for free trade; and the real but unavowed purpose here is to effect a reduction of the wages of American workmen. Between two countries open to free trade wages can no more stand on different levels than water in two open vessels freely communicating with each other.

It is not possible that the high scale of wages, so long current in the United States, can be maintained without adequate protection against the competing products of lower-priced foreign labor. Free-traders know this quite as well as tariff men, but they keep the covers on their empty dishes, and hope to seduce laboring men to a Barmecide feast.

#### THE CAREER OF THE AMERICAN REPUBLIC MUST NOT BE UNDER BRITISH CONTROL.

Wishing no ill thing to Great Britain, and fully desirous to preserve the most amicable relations, as we must ever take a profound interest in the future as well as in the past history of the stock from which the American Republic derives its origin, yet Great Britain must be content with the guidance of her own great empire, and can not be permitted to dictate and control the career of the American Republic. We no longer borrow from her example. The time has come when we are able both to lend and to lead. Bismarck, the leading statesman of Europe, seems proud to openly declare that he would copy the American example of protection.

To borrow the recent words of our most charming of living poets, with reference to our British ancestors—

We love, we honor the maternal dame,  
But let her priesthood wear a modest name  
While through the waters of the Pilgrim's bay  
A new-born Mayflower shows her keel the way.  
Too old grew Britain for her mother's beads—  
Must we be necklaced with her children's creeds?

I should answer, no! There is little in the present British financial policy that we could wish to transplant; and certainly we do not propose to play second-fiddle to her in the tune of free trade, to which all of her colonies refuse even a "tinkling cymbal."

What is there in the condition of her people, as the result of her financial economy, that Americans should envy? No country has recently suffered more from the depression of trade and industry than Great Britain. Her landed estates, overwhelmingly encumbered, have immensely diminished in value; her farming interests, if we may credit their own testimony, are nearly ruined; and, if we may believe Mr. Parnell, the fall there in the prices of their chief agricultural productions within the last two years has been extraordinary. Butter, he says, is down 27 per cent., beef 15 per cent., pork 20 per cent., mutton 18, wool 27, and stock 20 per cent. This shows the gloomy condition of British farmers. Taxation there is largely direct and oppressive upon all classes, but especially so upon laboring men. In 1883 the revenue collected amounted to \$13.75 per capita, while that of the United States was only \$4.81. The interest charged upon her public debt was \$4.21 per capita, while that of the United States in 1885 was only 83 cents. Great Britain supports over a million of paupers, not including vagrants and casual poor. Their police force in 1884 was 53,648, or more than twice that of the whole Army of the United States.



At one point, however, they appear more economical than we do, and that, possibly, not much to their credit. Notwithstanding the drum-beat of a British war seldom everywhere ceases, Great Britain annually does out her gratitude to all of her scarred veterans in pensions and annuities only \$1,958,715, while our latest appropriation for pensions amounted to \$76,075,200. The great difference between the two countries in the annual accumulation of wealth—that is to say, the increase of the total product of a single year over that of the preceding one—is sufficient to justify the rejection of all theories of free trade. The amount of that annual increase, as derived from the highest authority, for Great Britain is \$325,000,000, while that for the United States is no less than \$825,000,000. Is not that the Alpha and Omega of the whole argument? This large surplus, annually earned, enables our people to make general progress in intellectual culture and in all the refinements of a higher civilization. Literature, philosophy, science, and the arts have in all ages radiated from the material prosperity of the community.

#### A GREAT WAR A STRAIN UPON COLONIES.

Any great war on the part of the British Empire will be a formidable strain upon the loyalty of their distant colonies, which then will be called upon to decide how long and how much they are to suffer for a cause beyond their control and for a quarrel with which they are wholly unrelated. The colonial system long ago made England great, but ran her deeply in debt. Free trade, once the strong navel-cord by which Great Britain held to her infant colonies, was cut and sundered by the latter when they got old enough to find that it carried no more nutrition to them than to the subjects of all other empires.

They are still colonies, but seem irrevocably determined no longer to be subject to all the spasms of maternal indigestion.

The Canadian Dominion is unlikely to seek admittance or to be admitted to any share in the imperial Government of Great Britain. Whenever any such national ambition, of which the germ is inherent in the Anglo-Saxon race, shall be asserted, the Canadian Dominion can be more largely gratified nearer home, where political, commercial, and social interests would more harmoniously blend and expand with a grander continental connection. Unity of interests largely control great events.

The economy and prosperity of the Dominion everywhere notably hinge upon friendly and closer relations with us. Time will make this more and more evident to each succeeding generation. Whether we or they now want it or not, a union with our northern brethren, however remote, is as inevitable in the fullness of time as the southern trend of a polar glacier, and, whenever offered, can not be resisted. It is a contingency which the future statesmen of both countries must be prepared to meet, and which the Dominion, hanging through the ice-bound half of the year on our skirts, will not forever postpone. They have been eager for free trade with us, but they will be not less eager for the fullest protection elsewhere. In defiance of the effervescent dogmatism of the mother country, they have witnessed, and to some extent tasted, the positive advantages of a protective tariff, and will not be likely to go where its advantages are mocked at and refused.

The Canadas may soon be constrained by events and by their late expensive experience, to abandon forever any further petulance and pouting designed to obtain—without practical compensation—by the sham of a reciprocity treaty, the world's most valuable market. Favoritism in foreign politics has forever ceased, and all nations must be treated with absolute equality. Reciprocity with Canada, in a truckle-bed with our grandmother, is not to be endured. We have once, nay twice, escaped from the reciprocity snare, and "Surely in vain the net is spread in the sight of any bird."

#### IN TIME OF WAR FREE TRADE A FAITHLESS ALLY.

War may not forever be avoided even by nations the most peacefully inclined. If it should ever come, let us not be found wholly unprepared, but promptly—

Stiffen the sinews, summon up the blood,

to meet it with courage, joined with the complete outfit of a great and puissant nation. It is now evident to even the juniors among statesmen that any great nation, inspired with the generous hope of transmitting its institutions and independence to future generations, must be prepared from its own domestic resources to furnish and to refurnish at a moment's notice all that is necessary in a great war to meet the most formidable foes. Modern warfare has made the whole range of manufactures and the mechanic arts indispensable to its successful prosecution. Every minutiae, and all the colossal paraphernalia, must be fore-ordained, and something more than flint-locks, something more than wooden gunboats, now make up the essential enginery for military and naval conflicts. Home supplies for any emergency must be at all times ample, even redundant, and instantly available. Free-trade, as our Southern brethren will testify, is a treacherous foreign attachment, and, in time of war, a wholly untrustworthy auxiliary.

War is also frequently a practical embargo upon foreign supplies of all sorts, and when the mass of the people of any nation are long deprived of ordinary comforts, or perhaps of accustomed luxuries, they are apt to become impatient, and can not be so thoroughly relied upon

to endure taxation and service in the support of even a just and patriotic war. Superiority in manufactures not only restores much of the terrible waste of modern warfare, but it gives to one belligerent prodigious advantages over the other, as it gave to France in Algiers, and to England in India.

#### FIFTY MILLIONS OF THE COLORED RACE.

By the middle of the coming century our colored population, based upon the percentage of increase from 1870 to 1880, will number more than fifty millions. What shall they do? What shall we do with them, or they with us? This is a problem to be seriously pondered. The race is entitled to our sympathy, to our pilotage, and its improvement can alone tend to remove future anxiety concerning its prolific growth. If this vast multitude shall have no other available branches of labor opened to them but that of untaught "field hands," the excessive aggregate products will bring profitless harvests and general ruin upon all those who may be engaged in kindred agricultural pursuits, whether near or remote. If, however, a reasonable portion of this race can be trained and employed in the mechanic arts and manufactures, made consumers of farming products instead of producers, the threatening competition with farmers may not only be averted, but some measure of intelligence and thrift will have been secured to that portion of American citizens most in need of higher training and most exposed to pauperism. It is vain to deny that a protective tariff promotes a diversity of labor, or that such a diversity not only contributes to the prosperity and happiness of the greatest number, but like the summer rain and genial sunshine promotes even the fertility and increased value of land and its products.

#### FREE TRADE HAS NO CONCERN FOR THE GENERAL WELFARE.

The doctrine of free trade holds out no more good-will for the welfare, no more concern for the sorrows, of our people than for the welfare and sorrows of the inhabitants of Tonquin or of the Soudan, and encourages neither effort nor ambition among the lowly to climb up higher. The hewers of wood and the drawers of water must be content to remain hewers of wood and drawers of water forever. The foremost leaders in trade and capital are always to be foremost. Nations unskilled and unequipped with machinery, under the guidance of free-trade theorists must remain unskilled and unequipped, and submit to the invasion and vassalage of foreign manufactures as their fixed and inexorable destiny.

Free trade is the shibboleth of a "do-nothing" party, whose beatitude is to be free from all work, with freedom to buy and not to earn the necessities of life. Its world is to be

As idle as a painted ship  
Upon a painted ocean.

It does not seek to better its condition; is not courageously bent on absolute independence, and has no charioteers rushing to the goal of a higher destiny. Wherever free trade is written upon the walls, it is to be interpreted "God has numbered thy kingdom and finished it."

#### IMPORTING CITIES.

Cities, in the days of Jefferson, were held by him to be great national sores, and while it may be true that they are often the seats of science, of eloquence and of the elegant arts, it is equally true that they are seldom the seats of political health, and not always the abodes of all the virtues, but, along with shining lights, there is a superabundance of dark shadows. The growth of cities during the nineteenth century throughout the world has been phenomenal—that of many American cities the most resplendent of all; but this growth unfortunately appears to have been made too frequently at the expense of the rural districts, or by drafts upon the surrounding country. Free trade necessarily builds up a sect in large importing cities that contributes little or nothing to the growth of the interior portion of the country or to the life and health of the rural districts, and, to use the words of Cobbett, "If all other sects were to act like them the community must perish." Such cities, as fertile in millionaires, wealth, and grandeur as they may be, and as attractive in their elevated regions to society and culture as they may be, too often create only a stunted fertility outside of their own restricted boundaries. But they furnish without stint the funds of Cobden clubs to peddle revenue reform or free trade, and the peddler as well as the ass knoweth "his master's crib: but Israel doth not know, my people doth not consider."

As is well known, fully three-fourths of our importations of foreign merchandise are no longer in the name and hands of American-born citizens, and much of this business is adroitly done through foreign consignments to branches of foreign houses temporarily located in our cities, and defying all other competition. They have found more tempting profits from the sale and distribution of foreign merchandise than that which accrues from American products, subject as the latter must be to nearer, constant, and sharper competition. Insignificant as these foreign imports may be when contrasted with the larger amount of actual home manufactures in many cities, it is natural for those engaged in the trade of foreign merchandise to magnify its importance, and seek to perpetuate the dominance of their special line of business. The splendor of great warehouses overtops the show of many dust-covered workshops. An importer exclusively of foreign merchandise in our large cities, distributing the products of foreign



labor only, may be almost as confidently counted a theoretical free-trader as a native of Bagdad may be counted as a Mohammedan. "Great is Haroun-al-Raschid and his prophet!"

A great importing metropolis, too often having officials with a trained rapacity for spoils, and leaders pushed by the ambition of personal and local aggrandizements, may be expected to espouse a policy that leaves the interior of the country wholly tributary to its monopoly of trade. But large importing cities, always the dumping places for foreign tramps, subject to great and frequent calamities, can only be prosperous while trade is prosperous; and when that is prostrate, filled with contagious panics, many bubbles burst and many fortunes vanish. The more permanent prosperity of cities, of which we have also many conspicuous examples, is based upon the stable industries and handicraft of those who, by their own labor, daily add to the wealth of the country and furnish home products instead of foreign to swell the volume of trade. These are truly American cities. Our pride, however, in the stateliness of great cities suffers serious abatement whenever they dominate and depopulate the country districts.

#### EXTINCTION OF THE PUBLIC DEBT, AND REVISION OF THE TARIFF.

It is apparent that the extinction of the public debt has proceeded so rapidly that no part of what remains can be paid, after the redemption of the "Windom 3 per cents," at the option of the Government; and, therefore, a temporary surplus of revenue may then be inevitable. The question arises, What shall be done with it? This is a fair question, and seems to point to a difficulty of easy solution. Some part of the surplus must unquestionably be used for the new navy and for sea-board defenses, and after that the fraction of internal-revenue duties on tobacco, being one of the only two articles still subject to any war duties, may be wholly surrendered. The consumption of tobacco adds much to the cost of living of workingmen; and to them the repeal of this tax would be a substantial boon, however desirable we may think their total abstention from its use might be. Such a repeal would also relieve the Government from the expensive support of a large corps of revenue officers.

Another subject worthy of national consideration is that of sugar, one of the foremost necessities of life, and, though never cheaper than today, we must remember that it has been cheapened solely by the protection given to the product abroad. We are the largest consumers of sugar in the world, and, like Great Britain, pay the highest prices for it. The cost of 45 pounds of sugar for each one of our inhabitants should be reduced. We ought to have the skill and courage to find for all this a comprehensive remedy. It may be said that sugar is only the product of the tropics; but sorghum and beets certainly are not. The annual drain upon the country for 2,428,541,191 pounds of foreign sugar is too great. The domestic production of more sugar should somehow be liberally and, for a time, even extravagantly, encouraged, and its cost to consumers at the same time largely diminished. To this end the duties on raw sugars might be either wholly removed or cut down to the lowest point from all countries which do not impose export duties; and then a generous bounty granted to all domestic sugars from whatever produced.

Such a bounty has secured to the greater part of Europe not only cheap sugar, but so cheap as to offer a considerable surplus for exportation. In the past year we have received from Germany beet-sugar to the amount of \$4,000,000; and in the same year we have gratuitously surrendered \$4,200,000 of duties on sugar to Hawaiian adventurers, who have destroyed all present hope of beet-sugar culture in California.

Some measure in accordance with these suggestions, without abandonment of protection to domestic sugars, could not fail to reduce "the cost of living in every family of the land." We may also not forget that most of the countries from which we now obtain sugar sweeten us with little else, for they offer a very limited market to any American products.

A proper revision of the tariff at an early day will be eminently desirable; but the work should not be intrusted to those who are color-blind, and who can see nothing but reduction or abandonment of all duties, when it is equally clear that a revision should respond to all the exigencies of trade and industry, and include the re-enforcement of some of the provisions of existing law known to be ineffectual or erroneous according to present executive interpretation. An excessive reduction of duties one year which forces their reimposition the next year would be nothing else than a calamity. The removal of the duty on wool to-day, and a duty on tea and coffee to-morrow, would seem to be a part of the tariff-reform programme, while I would suggest a tariff revision which would leave our industries and labor unharmed and prosperous.

#### A DEMOCRATIC ADMINISTRATION AND A REPUBLICAN.

After a Democratic Administration, long in power, had destroyed the credit of the Government, leaving it in 1861 with an empty treasury, and with a broken-backed Democratic tariff, which was found incapable, even in time of peace, of furnishing revenue for the ordinary support of the Government, the Republican party was intrusted with the control of the country, and for a quarter of a century, confronted by unexampled difficulties, during one of the greatest epochs of our history, won enduring fame, in addition to its patriotic achievements, by the integrity,

skill, and success with which it conducted the financial affairs of the nation.

On the 4th of March, 1885, the Republican party handed over to Democratic successors the administration of the Government in a condition of unequalled credit, with an overflowing treasury, and with a tariff so invulnerable that its free-trade opponents propose to change it because it is only too fertile in producing revenue, wholly unmindful, as they appear to be, of their own prodigal aptitudes as national spend-thrifts.

In 1860 the revenue from customs was \$52,692,421, and the cost of its collection was 6.27 per cent. In 1885 this revenue amounted to \$178,151,601, and the cost of collection was only 3.58 per cent.

From 1855 to 1860, inclusive, the excess of coin and bullion exports over imports was \$298,607,884; but from 1880 to 1885, inclusive, this was reversed and the excess of coin and bullion imports over exports was \$123,807,687. For the large stock of gold the country now holds, of over five hundred and fifty millions, we are wholly indebted to our present tariff; and for the rapid reduction of the public debt, the lion's share must also be credited to the tariff.

In 1860 the amount of both imports and exports of merchandise was \$687,192,176; but in 1885 the amount of both imports and exports had increased to \$1,319,717,084, with an excess of exports of over \$165,000,000. The student of political economy will not fail to observe the significance of these remarkable figures, or the contrast of the former unsound with the later healthy condition of trade; and no more infallible proof can be offered of the national utility and efficiency of a protective tariff. It may be truly said to have touched the heads of our people only as a benediction. The paramount credit for the financial measures which have been so long and are now so closely identified with the growth and prosperity of the country, unquestionably belongs to the Republican party, and there is no other party—

Whose yesterdays look back with a smile.

The Executive Department of the Government early officially proclaimed its policy on civil service and on the silver question; but it is to be feared they at once let it be understood that these were only Pickwickian declarations, or that the administration dropped its eggs, like the ostrich, with no subsequent care whether they hatch or not, and that their friends were at liberty to favor or to oppose any action upon either subject, to win on "heads" or "tails," with no fear of diminishing their personal shadows in any future applications for the places of "offensive partisans," provided they maintained true allegiance at the polls to the present administration. On the tariff question, however, the official declarations are supposed to be enforced with greater rigor, and rebellious recusants seem to have seats at the lower end of the table.

If the Democratic party shall fully accept the leadership of the second-hand retailers of free trade, whose economic theories, almost throughout the universe, have won the contempt of legislators, and shall ignore the inspiration and prestige which a protective tariff has afforded to our country, as illustrated by all of the progressive records of the past, it will be greatly regretted; but no one need despair of the Republic so long as there is any party visible which honestly and firmly strives to bring into full play the intelligence, genius, invention, and industry of a great people—a party not ashamed to uphold a tariff as the sure presage of victory, which offers some protection, first, last, and forever, to the honor, welfare, and prosperity of our own native land.

MR. BECK. Mr. President—

MR. PLATT. I ask that the regular order may be laid before the Senate, so that it will be the pending business, and then I have no objection to its being informally laid aside for the further consideration of the pending resolution.

THE PRESIDING OFFICER (Mr. EUSTIS in the chair). The Senator from Connecticut asks that the regular order be laid before the Senate. It will be stated.

THE CHIEF CLERK. A bill (S. 739) granting a pension to John S. Williams.

MR. PLATT. No; the regular order for to-day I suppose to be the special order relating to executive sessions.

MR. BLAIR. The regular order is the unfinished business.

MR. HARRIS. The unfinished business, I think, of yesterday was the resolution reported from the Committee on Woman Suffrage.

MR. BLAIR. That was agreed and ordered to be the unfinished business; but it is not so printed on the Calendar this morning.

MR. HARRIS. If that is the unfinished business it is the regular order to be laid before the Senate, if anything is laid before the Senate at this time.

MR. PLATT. What I desire is that the special order—

MR. BECK. I shall not occupy ten minutes, and in the mean time it can be ascertained what is the regular order. Ten minutes will be all I care to occupy.

THE PRESIDING OFFICER. Does the Senator from Connecticut yield?

MR. PLATT. I withdraw the request for the present.

MR. BECK. Mr. President, I do not propose to make a speech on the tariff. It will be a relief to the Senate to know that; therefore I an-



nounce the fact; but as I have been specially noticed by the Senator from Vermont, I must be allowed to say a few words. The chairman of the Committee on Finance has evidently spent his vacation with great pleasure and profit to himself, and I hope also to the edification of the country. He has laid before us his annual essay, full of tropes, figures, jokes, and puns.

I was a little afraid that the page boys—but they are very well behaved—would ring their chestnut-bells on him several times; they did not. He has shown this time, as an adjunct to his usual investigations, that he has studied the Bible somewhat carefully; that no doubt has been both profitable and agreeable to him. His quotations from Holy Writ constitute the most edifying and interesting parts of the elaborate essay which he has just read to us. I have no doubt that it will be sent, as it has been at the beginning of each session, by the hundred thousand in pamphlet form, by the protective leagues of the country to every household to prove that all so-called free-traders have been annihilated, that the Cobden Club and its emissaries can not be trusted, and it will be quoted to prove how extensively British gold is being used in the Senate and elsewhere in corrupting all who differ from their champion. All that will be very edifying to the honest yeomanry, and the gentlemen who are so much benefited by these periodical essays will take care that this last and greatest effort is widely and judiciously circulated.

As to all that, I have no particular complaint to make; but what I desire to know, and the main object I have in saying anything, is to ask whether the Senator from Vermont proposes to advise his friends here and in the other House (because I take that to be the scope of his resolution) to resist all efforts which may be made toward the consideration of a bill looking to the reduction of taxation. We all know, and the country knows, that when a bill is once legitimately before the other House, where it must originate, it can be modified and changed and put in such shape as the wisdom of the two Houses of Congress, whatever that is, may think the good of the country requires. If this essay has been read for the purpose of encouraging his friends at the other end of the Capitol to resist all efforts looking to the reduction of taxation in any form, then the country may as well understand that we are to be forestalled and prevented from considering any measure having that object in view.

At the last session of this Congress a vote was taken to determine whether Congress should be allowed to consider the question, and one hundred and thirty-six Democrats voted in favor of the right to consider, and they were supported by only four Republicans. The particular bill presented was of course subject to all sorts of modifications, yet only four Republican Representatives were willing to consider the question. Now, I ask, is it proposed that nothing shall be done at this session, and that the majority here shall again, under the leadership of the Senator from Vermont, resist the bringing up of any bill proposing reduction of taxation in any form for consideration?

Mr. MORRILL. The Senator could not have listened to my speech.

Mr. BECK. I thought I listened carefully.

Mr. MORRILL. If he had he would have heard what I proposed and what I am ready to accede to. I only desired to show that I was opposed to such propositions as I have seen presented from Democratic sources, and should of course continue to be opposed to those; but I am quite ready to unite with any party that will take hold of the subject in the spirit which I suggested toward the close of my speech.

Mr. BECK. Then, the first thing, of course, to be done, in order to have any proposition considered, is to advise your friends to vote for the consideration of some measure which can be debated. When any measure seeking to reduce taxation is once up it can be modified to suit the views of the Senator from Vermont if the majority agree with him, and it can be modified to suit my views, assuming that I will differ with him if a majority agree with me. It is obvious that as long as there is successful resistance to the consideration of any proposition that is the end of all effort looking to the reduction of taxes in any form.

Mr. MORRILL. The Senator will see at once that we are not the originating body of a tariff bill; it must come from the other House, and is only to be criticised and amended by us.

Mr. BECK. When the leader of the Senate on financial questions, the chairman of the Committee on Finance of this body, announces in advance in resolutions and by speeches that nothing ought to be attempted to improve existing conditions, and opposes everything that is suggested anywhere for fear that some measure will pass which he does not favor, his speech, of course, rallies his friends in advance to oppose any bill which does not embody his views. Does he propose to do that? I insist that this condition of things is made apparent by the message of the President and by the report of the Secretary of the Treasury; that by legislation heretofore had, when the distinguished Senator from Vermont was chairman of the Committee on Finance and the present Presiding Officer of the Senate was his chief supporter and at one time chairman himself, the debt of the United States was so arranged that after the present 3 percents are paid not one dollar of the public debt can be paid at par until 1891, and then only \$250,000,000. When that sum is paid no more can be paid off as a matter of right until 1907, when the balance of \$738,000,000 matures.

We all know that under the system of taxation which has been maintained in order to protect the pets of Congress, that every dollar that can be paid before 1891 has been paid, except \$64,000,000; that the surplus now collected under the present rate of taxation amounts to \$125,000,000 a year; that the balance of the 3 percents, of which only \$64,000,000 remain unpaid, will be paid, indeed must be paid, before the end of the present fiscal year; therefore, four years must elapse from the time the last dollar that can be paid is disposed of before we can pay another dollar on our debt, unless we buy the bonds at any premium the holders see fit to ask. Therefore the Democratic President and Secretary of the Treasury, and, I may add, the great mass of the Democratic party, insist, indeed demand, that the taxation now imposed on the people during Republican rule shall be reduced. There is no way to get clear of a constantly increasing surplus in our revenue honestly except by reduction of taxation.

Of course we could lock it up in the Treasury, but that means bankruptcy by contracting much-needed circulation. We could, by Congressional action, make extravagant appropriations; that means corruption. We could pay premiums of 20, 30, 40, or 50 per cent. to bondholders in order to induce them to part with the bonds they hold before they are due; but that is extortion and swindling of the tax-payers to benefit a few men who hold our obligations. Therefore we are compelled, if we are honest representatives and intend to deal honestly with the people, to reduce the taxes now imposed to the point needed for an economical administration of the Government. That does not involve any question of free trade any more than it involves questions of prohibition of imports from abroad. All our public officials insist, and I agree with them, that we shall collect by internal revenue and tariff taxation all that this Government needs for its proper administration. Beyond that no Senator will venture under existing conditions to demand or even justify the collection of any surplus, because we have, as I have already said, either to pay any premium demanded on the bonds not due, or waste the money in extravagant appropriations, or, worse than either, lock it up in the Treasury.

Now, what I want to know is, does the Senator from Vermont oppose giving us a chance to make an honest effort to reduce taxes? The whole scope and burden of his speech is in that direction. If he means anything, the meaning of his speech is to advise his followers to stand where they are now, let the consequences be what they may. His plea is, do not reduce taxation, or if you do, he mildly suggests at last, take taxes off such articles as tobacco. I do not know whether he included whisky or not, but those are the only two articles now paying an internal-revenue tax. He knows that every dollar collected from whisky and tobacco goes into the Treasury, less the cost of collection, which is very small. Nobody needs to pay a tax on whisky or tobacco unless he wants to do so, as nobody pays the tax but the consumer of either. But the Senator prefers that all that shall be given up by the Government in order to keep a 90 per cent. tax on blankets, 69 per cent. on the clothing of the people, an average of 46 per cent. on all the raw materials that our manufacturers need in order to open foreign markets. The Senator's policy is to build up and enrich, by legislation, a few men out of the taxes thus collected, to the detriment of the great mass of the American people.

He admits, and the mass of his party seem to be willing to admit, that Congress should close the American market against foreign importations, upon the ground that they are protecting American labor, when in fact they are starving American labor by limiting production, which is now largely the work of machinery, and excluding our people from competing with the citizens of other countries in the markets of the world, where there are fifteen hundred millions of people to supply. The Senator from Vermont is sustained in his position by his equally distinguished compeer, the Senator from Ohio [Mr. SHERMAN]. In a speech, which he was kind enough to send me in pamphlet form, made at Portsmouth, Ohio, on the 29th of September, he used substantially the same language. I shall read only an extract from it to illustrate. He said:

You might ask me what rate of duty I would impose. My only answer is that I would give to every article for which we have in this country the raw material and facilities for manufacture such a rate of protection as would give to the American producer the American market, leaving free competition among Americans to reduce the price and finally to give a foreign market through home competition. This rule I would apply impartially and justly without distinction as to the sections of the country, or as to the nature and character of the production, whether of the farm or of the workshop.

In other words, his proposition is to exclude all imports, even if purchased with the proceeds of our agricultural exports. All the surplus products of our farms have to go abroad. Six hundred million dollars' worth of wheat, tobacco, cotton, provisions, beef, and the other produce of American farms has to go to foreign markets and there be sold in competition with like products raised by the pauper labor of the world at starvation wages. Yet we are told that our farmers, or those to whom they sell, shall not with the money they get for American-raised goods buy what they need where it is offered to them for 50 per cent. less than is demanded here, but shall bring the money they get home and pay whatever prices combinations of manufacturers may ask, even though no revenue shall be obtained by the Government, which gets nothing unless the exporter finds it cheaper to pay this foreign



price and the tariff tax than it is to buy here. Each sale abroad is made on individual account, and each man does the best he can for himself. Government is only a toll-gate keeper. Prohibition produces no revenue; free trade produces none. Our proposition is to have the revenues needed for the Government collected by tariff taxes in such a way as to do our own people the least harm, because all taxes in any form hurt the home producer and consumer. We seek to bring up some measure to see if we can not produce that result. That seems to be what the Senator from Vermont is afraid we will accomplish, and that apprehension is perhaps the excuse for the lecture he has so elaborately prepared and so solemnly uttered in our hearing to-day.

Perhaps the Senator from Vermont may think that what I am about to read was spoken by a member of the Cobden Club, or by somebody bought with British gold. He can ascertain whether that is true or not by inquiring of one of his colleagues. There is a great deal of common sense in it, and I commend it to the Senator from Vermont:

Every advance toward a free exchange of commodities is an advance in civilization. Every obstruction to a free exchange is born of the same narrow, despotic spirit which planted castles upon the Rhine to plunder peaceful commerce. Every obstruction to commerce is a tax upon consumption; every facility to a free exchange cheapens commodities, increases trade and production, and promotes civilization. Nothing is worse than sectionalism within a nation, and nothing is better for the peace of nations than unrestricted freedom of intercourse and commerce with each other.

What member of the Cobden Club does the Senator from Vermont think uttered that? Whose gold bought the man that dared in the Senate to utter such a heresy? It was uttered by Hon. JOHN SHERMAN, of Ohio, in a very elaborate and able report made by him on the 9th of June, 1868, being report of committee, No. 117, second session, Fortieth Congress, when he was struggling to have gold, and gold alone, adopted as the measure of value of our commodities.

I was about to read somewhat extensively from the last report of the Secretary of the Treasury, but I will not. I commend it, however, not only to the Senate but to the country. We are, says the Secretary, compelled to reduce taxes. No Senator dare assert that we can keep up the present rate of taxation without damage to the country. Among other things the Secretary says, and no one will venture to deny the truth of the assertion—

It is actually the war rates of the war tariff of the last generation under which we are now living; for the undebated, unsigned law of 1863, made by a conference committee, did but keep alive the body of the tariff of 1864.

The average percentage of the taxes on, to the values of, imported commodities has been as follows:

Morrill tariff of 1859-'61 (before the war) was.....	18.84 per cent.
War tariff of 1862-'64 (in 1866 was highest) was.....	48.35 per cent.
Present prolonged war tariff (was in 1885).....	46.07 per cent.

The Secretary does not misstate the facts when he says that the tariff under which we are living was made by a (one-sided, packed) conference committee, because we all know, and the country knows, that many of the important provisions were changed by that conference committee against the known will of both Houses. In many instances rates of taxation were imposed higher than either House had proposed or agreed to, and paragraphs were inserted covering whole classes of goods that neither House ever saw. That conference report brought on a controversy between the two distinguished Senators from Vermont and Ohio, in which each went to his friendly party newspaper and charged the other with getting more than his share, or not standing up to the bargain alleged to have been made in the secrecy of their conference. We have a right to have the doors opened by a new bill in order to look into the truth of these charges and counter charges. I hope these distinguished gentlemen will urge their friends to aid us. Again the Secretary says, and the statement is not only true but full of wisdom:

But no foreign nation taxes raw materials. Such taxes injure home industries, in which those materials are worked up and increased in value by home labor. Such taxes on raw materials, instead of excluding foreign competition from the home market, put our own employers of labor at a great disadvantage in the home market, and a greater disadvantage in every foreign market, compared with the foreigner employing labor upon untaxed raw materials.

"Protection" is also a misnomer. It implies superiority elsewhere. That superiority over any great industry of ours does not exist upon the globe. It implies infants here and adults elsewhere. Such is not our reputation. It implies that amid competition universal, where the fittest survive, we shall perish. But it is everywhere else believed that whenever we shall release ourselves from bad laws and enter that competition unmanacled, rivals will be distanced, and our primacy established in the markets and commerce of the world.

Knowing that direct taxation is neither attainable nor desirable, I believe in reasonable tariff taxation. I only ask that it be reduced to the point which will produce the revenues required by the Government. That done, I believe we can, as we have in times gone by, control our full share of trade in the markets of the world, and that our laboring men can be employed twelve months instead of five or six in the year, as they are now. With extended markets they will not be locked out by strikes, which are too frequently organized by manufacturing companies because of an overproduction of goods needed in this limited market, until scarcity resulting from non-production will increase the price of the stock on hand, the goods of the world being excluded from competition by prohibitory tariff taxation.

There are many other things in the report of the Secretary to which I should like to call attention, but, as I said, I do not propose arguing these questions now.

All the pretense of aiding American labor will, I feel assured, be exposed whenever the tariff question is open to debate. Intelligent investigation has exposed that plausible humbug. It will be shown that the men who are clamoring so loudly for the protection of American labor have been systematically importing the cheapest labor they could find from all parts of the world, and driving out the American workmen from the factories in which they were once employed, because they can get foreigners at a lower rate than American laborers will work for; and that, too, after they had obtained increased protection for the avowed purpose of giving the home laborer additional pay. Pools and combinations to diminish production is the rule rather than the exception, all to enhance prices and charges, while labor is starving. I have heard it stated that in the State of my friend from New Jersey [Mr. McPHERSON] factory after factory had given up American laborers and employed foreigners, after having the tariff bounty enlarged in order to protect American labor. We all know that it is a common occurrence.

I do not know that the hypocrisy of the manufacturers was ever better illustrated than by the old story (told, I believe, in the campaign of General Hancock), when a protected employer was driven to the polls by one of his operatives, and asked him, "How are you going to vote?" when the employé answered, "I am going to vote for General Hancock." Said the employer, "If you do, and these free-traders obtain possession of the Government, your wages will be reduced 25 per cent." The man looked at him and said, "I do not believe a word of that, and if you did you would vote for him yourself." That was a true statement of the case.

The protected pets of Congress have hunted cheap labor everywhere at home and abroad. They never pay a penny more than they are compelled by the competition of laborers with each other, but they are content with a monopoly of this market and with the power Congress gives them to compel the American people to pay 50 per cent. more than any other people pay for like goods in any other country in the world. They have given up all effort to trade with foreign nations. The Senator from Vermont in reading his Bible might have looked further. I observed from his quotations that he had been studying it, and I thought perhaps he had failed to notice a very instructive chapter in 2d Chronicles, where Solomon, who had the reputation of being a wise man, sent to Hiram, King of Tyre, asking him to swap work. I will read it for his edification. I think I read it once before.

3. And Solomon sent to Hiram, the King of Tyre, saying, As thou didst deal with David my father, and didst send him cedars to build him an house to dwell therein, even so deal with me.

5. And the house which I build is great: for great is our God above all gods. 6. But who is able to build him an house, seeing the heaven and heaven of heavens can not contain him? who am I then, that I should build him an house, save only to burn sacrifice before him?

7. Send me now therefore a man cunning to work in gold, and in silver, and in brass, and in iron, and in purple, and in crimson, and blue, and that can skill to grave with the cunning men that are with me in Judah and in Jerusalem, whom David my father did provide.

8. Send me also cedar trees, fir trees, and algum trees, out of Lebanon: for I know that thy servants can skill to cut timber in Lebanon; and, behold, my servants shall be with thy servants.

9. Even to prepare me timber in abundance: for the house which I am about to build shall be wonderful great.

10. And, behold, I will give to thy servants, the hewers that cut timber, twenty thousand measures of beaten wheat, and twenty thousand measures of barley, and twenty thousand baths of wine, and twenty thousand baths of oil.

11. Then Hiram, the King of Tyre, answered in writing, which he sent to Solomon, Because the Lord hath loved his people, he hath made thee king over them.

12. Hiram said moreover, Blessed be the Lord God of Israel, that made heaven and earth, who hath given to David the king a wise son, endued with prudence and understanding, that might build an house for the Lord, and an house for his kingdom.

13. And now I have sent a cunning man, endued with understanding, of Hiram my father's.

14. The son of a woman of the daughters of Dan, and his father was a man of Tyre, skillful to work in gold, and in silver, in brass, in iron, in stone, and in timber, in purple, in blue, and in fine linen, and in crimson; also to grave any manner of graving, and to find out every device which shall be put to him, with thy cunning men, and with the cunning men of my lord David thy father.

15. Now therefore the wheat, and the barley, the oil, and the wine, which my lord hath spoken of, let him send unto his servants.

16. And we will cut wood out of Lebanon, as much as thou shalt need: and we will bring it to thee in flotes by sea to Joppa; and thou shalt carry it up to Jerusalem.

Mr. McPHERSON. That was reciprocity.

Mr. BECK. It was free trade, fair trade, reciprocity—a common-sense way of dealing. Call it what you like. I would commend it, as I have commended it before, to the Senator from Vermont. Instead of requiring us to build glass houses to enable him to raise oranges and lemons in Vermont, and sell them to this people at ten cents apiece, and keep everybody from interfering with him, let him content himself with raising potatoes, which he can raise by the grace of God with the natural heat of the sun, send the potatoes to Cuba and buy oranges in return, and let the people have them at one cent apiece instead of ten, and the people of Vermont will be better off, the people of Cuba better off, the whole country better off. I protest against his drawing himself into his shell and protecting American labor, as is often done under the existing tariff, in fields where it is neither profitable nor fair that our people ought to be required to work.



But, as I said, ten minutes were all I cared to occupy. I may conclude to answer the essay of the Senator from Vermont some day. In the mean time I hope the country will take notice whether the Republican gentlemen here and at the other end of the Capitol propose to give us a chance to bring up any measure which will enable us to discuss these questions, or whether they are going to ally themselves with a few of our party friends who will not vote with the body of the Democrats, and thus prevent us from bringing it up and prevent discussion altogether. That course would leave the present great surplus to be used for the purpose of buying bonds at any premium their friends, the bondholders, may demand; for that, I suppose, will be the ultimatum. Again, I would like to know whether Senators are going to keep up the so-called sacred sinking fund we have heard so much of, when we have paid all we were required, and have applied over \$500,000,000 more than anybody pretends we promised, when there is no bond that we can buy, except at a premium, until 1891.

I may as well call attention to the fact now that I have pending before the Committee on Finance a bill, which I hope the Senate will consider, to repeal the existing sinking-fund law, as we have not only done all we could be asked to do, but infinitely more, for the interests of those whom the gentlemen have held themselves up as the special guardians of. To illustrate: By collecting so much under the pretense of needing it for the sinking fund, our bonds have been bought more rapidly than they ought to have been, because, having adjusted the time of their payment so that we can pay no more after the 3 percents are paid until 1891, when the four-and-a-halves become due; and then no more until 1907, when the 4 percents become due, in order to get the money out of the Treasury we have been forced to take from the national banks, which have grown up to be part of our monetary system, and which have been furnishing very much of the circulation to the country, bonds which were the basis of their circulation, until in the last three years the national banks have been compelled to contract their circulation \$100,000,000 at a time when the people were demanding and needing expansion to at least that amount over former years, instead of ruinous contraction not only because of the growth of the country, but because of its extending commerce; yet by the system of taxation which has been maintained and by the pretended necessity for a sinking fund (which, as I said, is now over \$500,000,000 in excess of all its requirements), these bonds had to be taken up, and the banks are unable to-day to buy the fours and four-and-a-halves, because of the excessive premium which is being demanded for them. Thus the country has been deprived of \$100,000,000 of bank circulation in the last three years, \$56,000,000 of it in the last twelve months, and yet no step is to be taken to give any relief from any of these evils. But, Mr. President, if I go on I will be tempted to make a speech sure enough, and I agreed not to do that, and therefore will say no more just now.

Mr. MORRILL. Mr. President, I regret that the Senator from Kentucky is so excited over a resolution introduced by me and made up bodily from the Democratic platform. My only purpose was to show the great difference between the promises of the Democratic party and the execution of that party, and to show also the unwisdom and folly of accepting any *projet* that has yet been presented for the reduction of the revenue, the wrong and the injustice it would do to the country to adopt any such proposition as we have heretofore seen presented. Of course we can not consider anything here until it comes to us from the other House.

Mr. SHERMAN. Mr. President, as I entered the Senate Chamber after a temporary absence, I heard the familiar voice of my friend from Kentucky begging in the name of the Democratic party for a chance to reduce taxation.

Since the opening of the present Congress, I watched for over eight months of a long and weary session for a proposition by the Democratic party to reduce taxation.

I believe that the revenues collected by the Government of the United States are too large, and that the public safety and the public interest demand a wise and careful reduction of taxation. There is no dispute between parties on that subject. There is no man of ordinary information who, upon the face of the returns sent to us from the Treasury Department, does not feel that we are now collecting more taxes, internal and external, than are necessary to carry on the operations of the Government. That fact is patent upon its face, is not disputed anywhere; but where is a plan to reduce taxation? Who has the power to propose that plan? The Democratic party. They have been trusted with this power by the people of this country upon a promise that they would reduce taxation, and in such a way as not to affect injuriously the industries of the country. That promise is stated in the platform of the Democratic party, stated in the language of its President, stated in the stump speeches of its orators, but the trouble is they have not proposed a plan—they can not propose a plan, they can not agree among themselves.

When the Republican party had both Houses we did propose a reduction of taxation, and did bring about a reduction of taxation. In the Congress before the last a reduction of taxation of some fifty or sixty millions of dollars was made; but since the Democratic party came

into power with a promise to still further reduce taxation they have not been able to propose a plan. Indeed, the propositions made in the House of Representatives—we may consider them now, or speak of them as matter of public debate—have been so diverse and various and some of them so absolutely ruinous to the industries of our country that the party itself revolted from the measure proposed. And let me say to the Senator from Kentucky that if the plan proposed by a majority of the Democratic party in the other House had been sanctioned by the Congress of the United States and been carried into effect it would have been the overthrow and destruction of the Democratic party. While its scheme might have reduced taxation, it would destroy many industries of our country and thus defeat the very object supposed to be had in view.

Why, Mr. President, how idle and foolish it is for the Senator from Kentucky, high in the favor of the Democratic party, to talk to us about a chance to reduce taxation. They have the House of Representatives by a majority of I do not know how many; they have had it for ten years out of twelve. The only reduction of taxes that has been made in that time was made by the Republican party during the two years it had power in both Houses out of the last ten years. Then we did reduce the taxes and did give an enormous relief from needless burdens. Although some of the provisions of that bill in my judgment were wrong and injurious, yet I voted for it in spite of the evil provisions of the bill, for the reason that it did reduce taxation.

Now, here we have a party in power, and a great and leading member of that party talking to us as if we were responsible for a failure to reduce taxation.

The Senator from Kentucky voted against the only proposition for the reduction of taxes that has been pending in the Senate for ten years because he did not have it in his own way, because he did not have it in a way that according to the opinion of the majority would be absolutely ruinous to the industries of the country, to the laboring men of the country, to the manufacturing and commercial classes. The only bill that was offered to reduce taxation and that did accomplish a reduction of taxation to the extent of fifty or sixty millions of dollars was voted against and opposed to the bitter end by that Senator.

Mr. BECK. I desire to say that I voted for the bill, as the RECORD will show, but when it was changed and manipulated in a conference committee I voted against their act.

Mr. SHERMAN. So far did the Democratic members of the Senate go in their opposition to that bill that they refused to allow their members to serve on committees of conference, and for the first time, I believe, in the political history of this country that party refused to allow and disallowed one after another of its leading members to serve on a committee of conference, where the matter might have been rectified if there was any wrong.

No, sir; in the only attempt that has been made to reduce taxes in this country for ten years, when the Republican party had a bare majority in both Houses, a reduction was made of \$60,000,000, and that reduction was opposed by the Senator from Kentucky. Not only was it so opposed, but it was opposed in violation of the ordinary parliamentary law, which requires members of the Senate to serve on committees of conference and others. By their refusal to serve it was necessary to organize the committee of conference of Republicans alone on the part of the Senate, in order to bring about an agreement on a bill reducing taxes \$60,000,000. True, there were Democratic conferees on the part of the other House.

Now, if they want to reduce taxes, where is their proposition? None has been made. One was made by a majority of the Democratic members of the other House at the last session, but, as I will show hereafter, if I allude to it at all, that bill had provisions in it which would have been utterly destructive to great industrial interests, and therefore the people of this country were opposed to it. Another proposition was made by another branch of the Democratic party, having in view another line of reduction, which the people were opposed to. That is the proposed reduction of the tax upon whisky and tobacco, to which there is more or less opposition, and on which there is more or less division of opinion.

Until the Democratic party, having a large majority in the House of Representatives, can send to us a bill, we have no jurisdiction here. It is true we have the liberty of debate; but we have nothing to debate about except the resolution of my friend from Vermont. What is that? A simple expression of his opinion that upon the basis of the propositions that have been made in the House by the Democratic party, it is better to do nothing than to do what they propose. That is what I understand my friend from Vermont to say, and I say so too. That is the proposition. But upon the main question that there is an absolute and imperative duty resting upon Congress to reduce taxation, I have proclaimed here year in and year out, and I do now, that when I have a chance to reduce taxes, I will do it. I return the cry to my friend from Kentucky give us a chance, you have the power; the House of Representatives is the sole organ of the people of the United States by whom taxes can be levied or taxes can be reduced.

The Senate at one time contended that we had the power to reduce taxation, although we had not the power to propose taxes, but the



House of Representatives refused to grant us that power. They said the power to reduce implied also the power to increase, and therefore we have no power to introduce any bill whatever either to repeal or to raise taxes. So we awaited the action of the House of Representatives for eight long months at the last session, and we waited in vain. The propositions, quarreled over by our Democratic friends, when carried before the people of this country, and now pending in the House of Representatives, created a revulsion in public opinion in large portions of the country, especially in the Northwest, that has reduced the large majority of the Democratic party somewhat, but not so much as it ought to have done; but if they had been able to carry their measures through, their majority would have disappeared into thin air.

Therefore, Mr. President, until some proposition is made to us from the House of Representatives it does not lie in the mouth of the Senator from Kentucky to complain of us, or to scold us, or to chide us, with a failure to reduce taxes. Give us a chance. I make to him the same appeal that he has made to us. He asks for a chance. Let him give us a chance. Let him go and lecture the members of the House of Representatives, call his brethren together and get them to unite on some platform, and I venture to say that when they do agree on a plan for the reduction of taxes it will be a plan for the destruction of American industry, not for the purpose of reducing taxes.

Sir, look at the report of the Secretary of the Treasury which has been laid on our tables and which I have read. What does he say there about the proposition to reduce taxes? His first measure is to wipe out of existence the greenback currency of the United States, to redeem and cancel it by applying the surplus revenue in that way. How many votes would that proposition get among the people of the United States?

The Democratic Senators and Members do not, any of them, seem to act upon the same principles that control the executive branch of the Government now in power. The Senator from Kentucky is opposed to calling in the greenbacks. How does he propose to reduce taxes? In general terms, he is in favor of free trade, free trade in its broadest sense, free trade in its almost unlimited extent, the reduction of duties on all those articles that we can make in this country, and that we ought to make in this country, and can make as cheap in this country if we choose to reduce the wages of our laboring men and measure their labor by the wages paid in Europe. That is what they mean.

But not only that; the Secretary takes up two items particularly to comment upon and to illustrate his argument. Here he finds that we are collecting the enormous sum of \$5,000,000 of duties on wool. He wants that duty abolished at once. Five million dollars will be an enormous relief by abolishing the tax on wool! Why, Senators, that touches the industries of more than a million of farmers, who believe they have a right for their industry the same degree of protection that is meted out to any other branch of production. That we have the power and the means and the facilities in this country to raise all the wool of certain grades necessary for domestic manufacture, and for foreign manufacture as well, is true. But now, owing to the provisions of our tariff law, we import wool enough, mainly as carpet wool, to yield \$5,000,000 of revenue. That he would abolish, and make wool free, and thus bring our farmers into sharp and hard competition with wool grown all over the world, on the pampas of South America or the plains of Australia, he would do that in order to give relief to the people from \$5,000,000 of taxes!

But then, when you turn and show that we import an article upon which we levy fifty-odd million dollars of revenue, the repeal of the duty on which alone would wipe out nearly all the surplus revenue that is now complained of, with the exception of that portion known by the sinking fund—the whole balance estimated by Mr. Manning is about fifty or sixty million dollars—we levy that on sugar alone; and when the mere suggestion is made that it is better, under the circumstances, to repeal the duty on sugar and make that article free, and place it where coffee and tea now stand, that is met with a loud cry of dissent.

Why is that? Is there any local influence, any sectional motive, any party interest there involved? If so, let us face it and meet it. Is the Senator from Kentucky in favor of the repeal of the duty on sugar—to make that free? I have not heard him answer that question yet. Here is an opportunity, if they will only give us a chance, by which we could at once wipe out this large unnecessary surplus revenue. But no; that is not what is wanted. It is not to reduce taxes.

The Senator from Kentucky and I could sit down and in five minutes we could select two or three articles now taxed and make them free, by which we would be able to strike off from the people a direct burden of taxation, and thus relieve us from this surplus revenue. In doing so we would relieve our people from a direct and oppressive tax. Sugar in all its forms should be as free as tea and coffee, and for the same reasons. If sugar could be produced in this country by any skill or aid whatever that industry could give to it—if we had the soil, the climate, and the means of producing sugar in this country—then I would be in favor of maintaining the system of protection in order to build up our sugar industry. If we had so developed our sorghum production, if we had so developed our beet-root sugar, or other means of raising sugar in this country, I should be in favor of maintaining this

duty in order to build up a domestic industry wherever it might be carried on; but a long experience of thirty or forty years shows that we can not produce sugar and we have not been able yet to produce it.

In Germany and France they are already producing sugar, although their climate is less favorable than ours, because they give high bounties to the producers of sugar. In this country there is a prejudice against building up industries by bounties, and therefore no one is bold enough to propose it, no one does propose it; and the result is that we do not raise in this country, with all the high protection that is given to it, a rate equal to 60 per cent., more than one-eighth part of our domestic consumption. It varies between one-twelfth and one-eighth. That is all we produce. Why not wipe out this tax? They say it is an injustice to the sugar planters of the South. So say I, and I should be willing, even if it is unpopular, to declare that I would give to the sugar planters of the South a fair and reasonable bounty, say 2 cents a pound on what they can produce. But it is shown by long trial that they can not produce enough to even make the sugar-candy of our country, much less to supply the great body of our people with that article of prime necessity in every home and family. If, therefore, the object is the reduction of taxes, why not take such an article that yields enormous sums and repeal the duty on it? But that is not the object.

All this is a subterfuge—not intended as such. I do not use the term in an offensive manner, but it shows the effect of local spirit, of party spirit. If the object is to reduce taxes we can reduce them at once by a few strokes of the pen. But that is not the object. The object is to tamper with that great industrial system which has built up in this country a growth of manufactures without parallel in the history of mankind, a system that has raised our production in manufacturing industries from \$1,800,000,000 in 1860 to \$54,000,000,000 in 1880, and now a great deal more than that. It is to repeal those duties which have fostered and built up the industries of our country so that now we are beginning to compete even in foreign markets with some of the older countries of Europe. How is it that we are now competing in England with Sheffield cutlery? Because by a system of protection followed by domestic competition our home industry has been defended against foreign importations until it has been built up, and now our home product is as cheap as the article made in foreign countries, made so by domestic competition and by increasing skill and art.

Mr. President, it is against the modification of these duties that the Republican party stands like a wall, not only to-day, but will at all times. We are in favor of a reduction of taxes. You take the \$650,000,000 of imported goods, and what are they? More than \$220,000,000 are admitted free of duty, of which over one hundred millions are articles of food—tea, coffee, and the like. Suppose you add to the free-list about \$90,000,000 of sugar brought into this country. Then you have over \$300,000,000, or about one-half of the importations of this country, that will be absolutely free of all tax. These are mainly articles that can not well be produced in this country, that experience has shown can not profitably be raised in this country, and they are such as are in use by every man, woman, and child here.

Take that large class of articles that are the base of our manufactures, all articles that can not be produced in this country are now practically free. If there is any one in the whole list that pays a duty, I would like to know it. I know of no article now, I can not recall any, which enters into our manufactures as the base of manufacturing, that can not be produced in this country, which pays any duty at all. If any, name it, and I will vote to put it on the free-list. Where we have not the power by reasonable protection and domestic competition to produce any article, I say let it be free from all taxation. In that way our free-list can be greatly increased, and we have free trade with all the world for more than one-half of all foreign importations.

But there are now about \$300,000,000 worth of goods imported into this country that directly or indirectly compete with our domestic productions. They compete with our domestic growth. We have the raw materials and facility for the manufacturing of all these articles. Why should we not make our own woolen goods? Why should we not make our own cotton goods? Why should we not make our own machinery, our own cutlery, and all the various articles which enter into the ordinary employments of human life? We can do it. We can not start these industries without protection; we can not produce them at once; but in a little time and by reasonable protection we can build up all those industries. Experience has shown that whenever we have fairly started in this kind of competition, and have been protected for a time against the changes and oscillations of foreign competition and the low wages of foreign labor, we have been able to reduce the price of the domestic article, so that we are now able in the markets of the world upon the principles of free trade to compete with foreign countries in many branches of industry.

Sir, the theory and doctrine of the Republican party which we represent is this, that we will maintain the system of duties on foreign goods, not to the extent of a prohibition, not at such rates as would relieve our own people from reasonable competition, but such as will induce home competition, and thus reduce the price to a reasonable rate. We will levy such duties on foreign goods, to the extent that they are imported, as will induce their production here. And now, sir, it so happens in the progress of this system that nearly every article necessary for ordinary

human life consumed in the homes of the families of our country is of American growth and production.

There are \$300,000,000 of foreign goods imported, manufactured abroad, which compete with ours. There are more than \$3,000,000,000 manufactured in our own country out of the \$5,500,000,000 altogether, the production of which has been caused by this protective policy. Now, we have built up this system of industry. We do not want it tampered with except with great care and by men who are disposed to foster and favor it. The Senator from Kentucky is not in that position; he never was. He has a theory of free-trade. It is true he denies that he is a free-trader, and I suppose he would deny that he was a free-trader as long as we ever laid any import duties and did not throw our ports open to all the world. But whenever it is proposed to reduce any tax which tends to foster or benefit any American industry, then my friend from Kentucky is sure to vote yes and fight it to the bitter end.

I did not intend to get into this argument. I do not want to go into it any further. I wish to say to our Democratic friends there are three months yet left in their lease of power, conferred two years ago. If you can propose a scheme to reduce taxation, that will bear the test and promise of your Democratic platform, that is, to reduce taxes without injuring the industries of this country, you will find on this side of the Chamber that we are ready participants and partakers with you in that great and glorious work; but when you strike at the industries of our people, and seek to derange that which is now well, and tamper with these protective duties which foster and diversify and have built up our great industries, then we are opposed to you, first, because we do not want to see the labor of our country brought down to a hard and grinding competition with the illy paid labor of Europe; next, because we want to see a diversified production in this country, so that the United States may be absolutely independent, not only in a political sense, but in a financial and a commercial sense, and so that we can make in this country every article essential to ordinary human want and employment. This is what we believe in, and until the Democratic party can agree among themselves and present to us a plan which they will be willing to stand up by, they have no right to chide us, and no right to complain of us. When they send us a bill we will show them that we have the power to reduce taxes, and will propose a method by which taxes may be reduced without crippling our industries or decreasing the ordinary wages of labor paid to our workmen.

Mr. DAWES obtained the floor.

Mr. ALLISON. I ask the Senator from Massachusetts to yield, that I may move an adjournment. This is a very important question, and I think we can spend a few days in discussing it.

The PRESIDING OFFICER. The Chair will ask the Senator from Iowa to withhold the motion to adjourn, that he may lay before the Senate bills from the House of Representatives for reference.

Mr. ALLISON. Certainly.

#### HOUSE BILLS REFERRED.

The bill (H. R. 9183) for the relief of James R. Marr was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads; and

The joint resolution (H. Res. 220) authorizing and directing the payment of the salaries of the officers and employes of Congress for the month of December, 1886, was read twice by its title, and referred to the Committee on Appropriations.

#### FORTIFICATION APPROPRIATION BILL.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives, further insisting upon its disagreement to the amendments of the Senate to the bill (H. R. 9798) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1887, and for other purposes, and asking a further conference with the Senate on the disagreeing votes of the two Houses thereon.

On motion of Mr. DAWES, it was

*Resolved*, That the Senate still further insist upon its amendments to the said bill disagreed to by the House, and agree to the further conference asked by the House on the disagreeing votes of the two Houses thereon.

By unanimous consent, it was

*Ordered*, That the conferees on the part of the Senate be appointed by the Presiding Officer.

The PRESIDING OFFICER appointed Mr. DAWES, Mr. PLUMB, and Mr. GORMAN.

#### ALABAMA COAL AND IRON LANDS.

Mr. MORGAN submitted the following resolution; which was ordered to lie on the table and be printed:

*Resolved*, That the Secretary of the Interior is directed to inform the Senate of the state of facts upon which the coal and iron lands in Alabama have been withheld from sale, contrary to the requirements of the Act of March 3, 1883; and that he communicate to the Senate any evidence on the files of said Department which discloses the existence of any conspiracy, or combination, to unlawfully affect a sale of lands under said act, if any such evidence exists.

#### BEAUFORT SCHOOL-FARMS.

Mr. BUTLER submitted the following resolution; which was considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary of the Treasury be, and he is hereby, directed to transmit to the Senate a copy of the report of George B. Clark, revenue agent, in regard to the school-farms in Beaufort, S. C.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 8346) authorizing the employment of mail messengers in the postal service; and

A bill (H. R. 7536) to extend the free-delivery system of the Post-Office Department, and for other purposes.

#### PRINTING OF THE PRESIDENT'S MESSAGE, ETC.

Mr. HAWLEY. The Committee on Printing instruct me to ask for the passage of the resolution I send to the desk.

The PRESIDING OFFICER. The resolution will be read.

The Chief Clerk read the resolution, as follows:

*Resolved*, That there be printed in pamphlet form, for the use of the Senate, 1,000 copies of the annual message of the President, and the reports proper of the heads of the Departments, Comptroller of the Currency, Director of the Mint, and Treasurer of the United States, without the appendices.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. SAULSBURY. I desire to inquire whether that is the usual number.

Mr. HAWLEY. I can explain the matter in a moment. This has never been ordered in this form but once. It was done last year. I will state in a moment why it is necessary, in my judgment.

Of course the message and accompanying documents have been ordered to be printed, as usual, in accordance with law. That means twelve or fifteen octavo volumes which you will begin to get in a year to eighteen months hence. The Senator from Missouri [Mr. COCKRELL] commented on one item this morning, the Report of 1885, which is of no use to us now.

Besides that, the law provides for the condensation and compilation of all messages and reports. That compilation makes one octavo volume. The theory of the act providing for it was that if the Departments would send in their appendices early a condensation could be made so as to be ready within a fortnight for the use of Congress. It takes about a year to get that volume through. Last year's volume is not here yet.

Now, if a Senator desires a copy of the report of the Secretary of Treasury, or of the Navy, or of the Army, or of the Attorney-General, or any one of those officers mentioned in the resolution, he must send to the Department and get one out of the few they print for themselves out of their own printing fund. There is no other copy of any one of these reports to be got in this building.

Last year we tried what I propose, and found that it worked well. The resolution asks for a thousand of each of these documents in pamphlet form. The type is up already from which the copies were printed which have been sent to us, one each.

Mr. COCKRELL. I should like to suggest whether it would not be better that the usual number be printed for the Document Room. These will go to the Folding Room, as I understand. They will not go through the regular Document Room, I think.

Mr. HAWLEY. I think they did last year.

Mr. COCKRELL. I think not. That is the point I want to call the Senator's attention to. I do not think they came through the regular Document Room; I think they came through the Folding Room, and the effect was that when they were sent off Senators would send up to the Document Room and there would be none there. It is a great inconvenience not to have them filed in the Document Room, and I suggest that the resolution be amended so that the thousand will be in addition to the usual number and for the Document Room.

Mr. HAWLEY. Let me suggest to the Senator that if printed under that form, "the usual number," there are about 1,900 printed and several hundred of them are laid aside for special use.

Mr. COCKRELL. I understand; but we ought to have these copies in addition to those upstairs in the Document Room.

Mr. HAWLEY. There are several hundred provided for under the law ordering what is called "the usual number" that we do not want; and you may not have them in a year.

Mr. COCKRELL. That is true; but they would get into the Document Room after a year or more.

Mr. HAWLEY. These can all be put in the Document Room perfectly well at your command. It does not make any odds to which room you send for them.

Mr. COCKRELL. It makes a great deal of difference if you send to the Document Room and none of them are there. If sent to the Folding Room they will all be sent off by us before we think about it, thinking there is the usual number in the Document Room.

Mr. HAWLEY. Mr. Smith had these to dispose of before, and they were ordered just in this manner. I know that Mr. Smith was able



to respond to a Senator when he sent upstairs for a Treasury report. I think the Senator from Missouri will find it all right.

Mr. COCKRELL. I do not think they were in Mr. Smith's room at all.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

#### HOUSE BILLS REFERRED.

The following bills from the House of Representatives were severally read twice by their titles, and referred to the Committee on Post-Offices and Post-Roads:

A bill (H. R. 8346) authorizing the employment of mail messengers in the postal service; and

A bill (H. R. 7536) to extend the free-delivery system of the Post-Office Department, and for other purposes.

#### COLUMBIA RIVER STEAM-RAILWAY.

Mr. DOLPH. I offer a resolution, which I ask to have printed and laid on the table. At some future time, when it is the pleasure of the Senate to listen to me, I shall briefly submit some remarks as to the project foreshadowed in the resolution—the construction of a steamboat railway around The Dalles of the Columbia River.

The resolution was read, as follows:

*Resolved*, That the Secretary of War be, and is hereby, directed to examine and report as to the necessity for the improvement of that portion of the Columbia River known as "The Dalles," by the removal of obstructions so as to permit the free navigation thereof; and as to the practicability and probable cost of overcoming such obstructions to navigation by the construction of a steamboat railway around The Dalles and Celilo Rapids, and removing obstructions at Three-Mile and Ten-Mile Rapids.

The PRESIDING OFFICER. The resolution will be printed and laid on the table. The Senator from Massachusetts [Mr. DAWES] has the floor on the resolution submitted by the Senator from Vermont [Mr. MORRILL], which has been under consideration.

Mr. ALLISON. I ask the Senator from Massachusetts to yield to me that I may move an adjournment.

Mr. DAWES. With the understanding that I have the floor when the resolution of the Senator from Vermont comes up again I yield.

Mr. ALLISON. I move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 27 minutes p. m.) the Senate adjourned to Monday, December 13, 1886, at 12 o'clock m.

### HOUSE OF REPRESENTATIVES.

THURSDAY, December 9, 1886.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

Yesterday and to-day the following additional members appeared and took their seats: Mr. FISHER, Mr. GLOVER, Mr. LANDES, Mr. HAILEY, Mr. PERKINS, Mr. STEWART of Texas, Mr. WHEELER, Mr. CLARDY, Mr. CULBERSON, Mr. ATKINSON, Mr. VAN SCHAICK, Mr. COLLINS, Mr. O'HARA, Mr. HAMMOND, Mr. WALLACE, Mr. RANNEY, Mr. KELLEY, Mr. NORWOOD, Mr. MERRIMAN, and Mr. JONES, of Alabama.

#### CLAIMS FOR REFUND OF INTERNAL-REVENUE TAX.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting a schedule of claims for refunding internal-revenue tax illegally collected, re-examined and certified by the First Comptroller, as required by the deficiency act of August 4, 1886; which was referred to the Committee on Appropriations, and ordered to be printed.

#### ACCOUNTS ALLOWED BY FIRST COMPTROLLER.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting copies of accounts rendered to and settled with the First Comptroller for the fiscal year ended June 30, 1886; which was referred to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

#### CONTINGENT EXPENSES TREASURY DEPARTMENT.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting a report of contingent expenses of that Department for the fiscal year ended June 30, 1886; which was referred to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

#### RE-EXAMINATION OF CERTAIN CLAIMS.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting a letter from the Second Comptroller, submitting statements of facts relative to certain claims re-examined, as required by the provisions of the deficiency act of August 4, 1886; which was referred to the Committee on Appropriations, and ordered to be printed.

#### JOSÉ SUTTON.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Interior, transmitting the report of the surveyor-general

of New Mexico upon the private land claim of José Sutton, Ojo del Ariel, No. 45; which was referred to the Committee on Private Land Claims.

#### IMPROVEMENT OF TENNESSEE RIVER.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, a report on the condition of the work of improvement of the Tennessee River at Big Mussel Shoals, Little Mussel Shoals, and Elk River Shoals; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

#### MISSISSIPPI RIVER COMMISSION.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting a report of the operations of the Mississippi River Commission from July 1, 1886, to November 30, 1886, with financial statements relating to appropriations; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

#### FINDINGS OF COURT OF CLAIMS.

The SPEAKER also laid before the House the following communications; which were severally referred to the Committee on War Claims:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact in the case of Fanny B. Randolph and Dora L. Stark against the United States;

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court and of the order dismissing the case of John A. Farley against the United States;

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court and of the order dismissing the case of William A. Williamson against the United States;

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court and order dismissing the case of F. Louis Morat against the United States;

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court and order dismissing the case of George S. Ayre, administrator, &c., against the United States;

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of the court and of the order dismissing the case of F. E. Wirt against the United States;

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the opinion and order of that court dismissing the case of Bartelle and Evans against the United States;

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the order of that court dismissing the case of John H. Marshall and others against the United States;

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the opinion and order of that court dismissing the case of Sophia G. Mitchell against the United States;

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the opinion and order of that court dismissing the case of Robert S. McDonald against the United States;

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the opinion and order of that court dismissing the case of Charles C. Burke, administrator, &c., against the United States; and

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the order of that court dismissing the case of Calvin Chearis against the United States.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. KING, for ten days, on account of important business.

To Mr. TRIGG, indefinitely, on account of sickness.

#### CHANGE OF REFERENCE.

The SPEAKER. The Chair desires to correct an erroneous reference of last session. The bill (S. 1838) to increase the pension of George R. Hooper was referred to the Committee on Claims. It should go to the Committee on Invalid Pensions. Without objection, that order will be made.

#### ENROLLED BILLS SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled a bill of the following title; when the Speaker signed the same:

A bill (H. R. 68) for the relief of William P. Chambliss.

#### FORTIFICATIONS APPROPRIATION BILL.

Mr. FORNEY. I rise to present a report of the committee of conference on the fortifications bill.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9795) making appropriations for fortifications and other works of defense and for the armament thereof for the fiscal year ending June 30, 1887, and for other purposes, having met, after full and free conference have been unable to agree.

BENJ. BUTTERWORTH,

SAM. J. RANDALL,

WILLIAM H. FORNEY,

Managers on the part of the House.

A. P. GORMAN,

P. B. PLUMB,

H. L. DAWES,

Managers on the part of the Senate.

Mr. FORNEY. I ask that the report be accepted, and that a further conference be asked.

The SPEAKER. Without objection the report will be accepted and a further conference with the Senate will be asked. The Chair appoints as conferees the same gentlemen as have hitherto acted on the committee—Mr. FORNEY of Alabama, Mr. RANDALL of Pennsylvania, and Mr. BUTTERWORTH of Ohio.

#### ADDITIONAL ASSOCIATE JUSTICE, NEW MEXICO.

Mr. JOSEPH. I ask unanimous consent that the Committee of the Whole House be discharged from the further consideration of the bill (H. R. 9642) and that the same be considered by the House.

The bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. MILLS. I will ask the gentleman from New Mexico whether that bill has been reported from the Committee on the Judiciary?

Mr. JOSEPH. It has; and I ask that the report of the committee, which is very brief, be read.

Mr. HOLMAN. Mr. Speaker, for the present I must object to the consideration of this bill. I was not aware that such a measure was pending. I shall not object to the gentleman bringing it before the House at some later time, after proper inquiry shall have been made as to the facts.

Mr. SPRINGER. That inquiry has been already made. This bill was reported at the last session of the House. There is a large accumulation of judicial business in the courts of New Mexico; there is urgent need for the passage of this bill, and I trust that my friend from Indiana [Mr. HOLMAN] will withdraw his objection. In the Territory of Dakota there are five judges, while in the Territory of New Mexico, with its large and rapidly increasing population, there are only three. This bill is necessary. In fact, it is a positive denial of justice to the people of New Mexico to leave them in their present condition. I am sure that if the gentleman from Indiana [Mr. HOLMAN] were on the Committee on Territories he would not object to the passage of this bill, and I trust that he will now withdraw his objection.

Mr. HOLMAN. Mr. Speaker, a brief inquiry as to whether there has been such an increase of business in the Territory as to justify this legislation can certainly do no harm.

Mr. SPRINGER. But that inquiry has been made, and this bill has been reported from the Committee on the Judiciary.

The SPEAKER. The gentleman from Indiana [Mr. HOLMAN] objects.

#### TITLE TO LANDS IN SAN FRANCISCO.

Mr. MORROW. I ask unanimous consent that the Committee of the Whole be discharged from the further consideration of the bill (S. 1110) to relinquish the interest of the United States in certain lands to the city and county of San Francisco and their grantees, and that the same be put upon its passage.

The bill was read, as follows:

*Be it enacted, &c.,* That the right, title, and ownership of the city and county of San Francisco, in the State of California, to the body of land hereinafter described are hereby confirmed, and all the right and title of the United States to said land are hereby granted and relinquished to said city and county, and to those persons, and their successors in interest, to whom portions of said land have been heretofore granted and conveyed by or on behalf of said city and county, to the extent of their interest in said land. Said land hereby granted is described as follows: Situated within the corporate limits of said city and county; bounded on the north by the southern boundary line of the land granted by the United States to said city and county by patent dated June 20, 1884; on the west by the Pacific Ocean; on the south by the line surveyed by Deputy United States Surveyor James T. Stratton, in 1867 and 1868, as the southern line of the land granted to said city and county by act of Congress approved March 8, 1866; and also bounded on the south by the northern boundary of the Rancho Laguna de la Merced, granted by the United States to J. de Haro and others, September 10, 1872, wherever said northern boundary of said rancho is north of said line surveyed by said Stratton; on the east by the western boundary of the Rancho San Miguel, granted by the United States to J. de J. Noe, March 30, 1857.

SEC. 2. That upon the approval of this act the Commissioner of the General Land Office shall issue a patent for said land to said city and county, and said patent shall inure to said city and county and the grantees of the same, and their said successors in interest, as a confirmation of said city and county's grants of said land.

SEC. 3. That all laws in conflict with the provisions of this act are hereby declared inapplicable to the lands hereby granted and relinquished.

Mr. GIBSON, of West Virginia. If the title to this land is in the United States, what reason is there for relinquishing it?

Mr. MORROW. A very brief statement will disclose the reasons for the legislation proposed in this bill. The city of San Francisco is located on a tract known under the Mexican law as a "pueblo," containing four square leagues of land. The title to this pueblo was confirmed by judicial decree in 1865, and confirmed by act of Congress in 1866. Later on there was a survey of the pueblo, under the act of Congress and the judicial decree. That survey established the southern boundary line, a line running east and west across the peninsula. Subsequently controversy arose between claimants and the Government respecting some portions of the northern boundary of the land, in connection with the presidio of San Francisco, and also concerning the line crossing Mission Creek. In consequence of that controversy, and the decision of the Secretary of the Interior in 1883, the boundary of the

grant was extended north so as to increase its extent to more than four square leagues. This made another survey necessary, which survey placed the southern line about 981 feet north of the former line, making a strip of land 981 feet wide to which no title has been conveyed, although, under the original survey, the city of San Francisco conveyed to the occupants this particular land. That land has been cut up into blocks and streets; it has paid taxes, and the people in possession were, until the last survey, under the impression that they were within the line of the pueblo. Now the city of San Francisco, by proper resolution, asks that this grant be made, that the title of its grantees may be confirmed. It is recommended by the Interior Department, and there are no adverse claimants.

Mr. WEAVER, of Iowa. Are there any persons there taking title from other sources than the city or county of San Francisco?

Mr. MORROW. No, sir.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. GIBSON, of West Virginia, objected, but subsequently withdrew his objection.

There being no further objection, the bill was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. MORROW moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

#### JAMES R. MARRS.

Mr. MCCREARY. I ask unanimous consent that the Committee of the Whole House on the Private Calendar be discharged from the further consideration of the bill (H. R. 9183) for the relief of James R. Marrs, and that the House now consider the same.

The bill was read, as follows:

*Be it enacted, &c.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James R. Marrs, of Boyle County, Kentucky, the sum of \$126, to reimburse him for money paid by him to the Post-Office Department of the United States because of money unlawfully taken from the post-office at Danville, Ky., of which James R. Marrs is postmaster, and for the taking of which he was in no respect blamable or responsible.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. MCCREARY]?

Mr. COX, of North Carolina. I should like to hear the report in this case.

Mr. MCCREARY. I will make a brief statement about the bill. On the 17th of February, 1886, James R. Marrs was postmaster at Danville, Ky., and the office was broken into by burglars, the safe opened and Government property amounting to \$293.13 taken therefrom without any fault on the part of the postmaster. Credit was allowed him for \$96.13, money-order funds, and for postage-stamps in stamp-drawer to the amount of \$71; but he was compelled to pay out of his own money \$74 for postal funds taken from the safe and \$52 for box-rent funds. An investigation of the whole matter was made by an officer sent to Danville by the Post-Office Department, whose report exculpated Mr. Marrs from all blame and declared that he was in no respect at fault. In view of these facts, I introduced a bill for his relief, which was referred to the Committee on Claims, allowing him \$126, the amount which he was compelled to pay from his own funds. This bill has been unanimously reported by the Committee on Claims.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There being no objection, the Committee of the Whole House on the Private Calendar was discharged from the further consideration of the bill, which was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. MCCREARY moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

#### GEORGE W. LAWRENCE.

Mr. DINGLEY. I ask unanimous consent that the Committee of the Whole House on the Private Calendar be discharged from the further consideration of the bill (H. R. 9933) for the relief of George W. Lawrence, and that the House now proceed to consider the same.

The bill was read.

The SPEAKER. Is there objection to the proposition of the gentleman from Maine for the present consideration of this bill?

Mr. WARNER, of Ohio. I think that we should hear the report.

Mr. DINGLEY. This bill, which has been unanimously reported by the Committee on War Claims, simply refers the subject to the Court of Claims. I think there can be no objection to the proposition.

Mr. WARNER, of Ohio. Is the report long?

Mr. DINGLEY. No; it is very brief.

Mr. WARNER, of Ohio. Let it be read.

The report was read.

The SPEAKER. Is there objection?

Mr. EDEN. I object.



THEODORE W. TALLMADGE.

Mr. OUTHWAITE. I ask unanimous consent that the amendment of the Senate to the bill (H. R. 1905) for the relief of Theodore W. Tallmadge be taken from the Speaker's table for immediate consideration. This amendment, which has been suggested by the Commissioner of the General Land Office, is merely formal.

The SPEAKER. This bill was returned from the Senate with an amendment during the last session, but for some reason not now remembered by the Chair it was not referred to any committee. It is therefore still on the Speaker's table. The Clerk will report the amendment of the Senate.

The Clerk read as follows:

IN THE SENATE OF THE UNITED STATES, June 17, 1886.

Resolved, That this bill pass with the following amendment:

After the words "United States," in line 6, insert "subject to military bounty-land-warrant location."

The SPEAKER. Is there objection to the present consideration of this subject?

Mr. HOLMAN. It was impossible to hear what the proposition was.

Mr. OUTHWAITE. The bill proposes simply to authorize the issue of land scrip to this gentleman in lieu of a bounty-land warrant, of which he was defrauded by an agent of the Government. The bill, after passing the House, was passed in the Senate with a slight amendment, adopted upon the suggestion of the Commissioner of the General Land Office.

Mr. HOLMAN. What is the amendment?

The amendment was again read.

Mr. BURROWS. Let the House bill be read as amended.

The Clerk read, as follows:

Be it enacted, etc., That the Secretary of the Interior of the United States be, and is hereby, authorized and directed to issue and deliver to Theodore W. Tallmadge land-scrip by which the said Theodore W. Tallmadge, or his assigns, upon the presentation thereof to the proper officers of the Land Department, shall be entitled to enter one hundred and sixty acres of the surveyed public lands of the United States subject to military bounty-land warrant location, not mineral or otherwise appropriated, granted to him in lieu of bounty-land warrant numbered sixty-nine thousand six hundred and fifty-one, misappropriated by an employe of the United States land-office at Stevens' Point, Wisconsin.

There being no objection, the House proceeded to the consideration of the amendment of the Senate; which was concurred in.

Mr. OUTHWAITE moved to reconsider the vote by which the amendment was concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PERSONAL EXPLANATION.

Mr. REAGAN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Texas states that he rises to a question of personal privilege.

Mr. REAGAN. I send to the Clerk's desk a copy of the New York World of December 4, and ask that the article marked be read, with the accompanying head-lines.

The Clerk read, as follows:

REAGAN REBUKED—SCENE AT A COMMITTEE MEETING ON THE INTERSTATE COMMERCE BILL.

[Special to the World.]

WASHINGTON, December 3.

There was a lively scene at the meeting of the conference committee on the interstate commerce bill to-day, which for a time made it look as if the struggle over the two bills under consideration would end in a high old row. But the storm blew over and cleared the atmosphere, so that the committee made fair progress afterwards towards an agreement. The members of the committee are trying to keep it quiet, and are pledged to secrecy about the affair, which makes it all the more interesting. The venerable Mr. REAGAN, who has been laboring in season and out of season during the fifteen years he has been in Congress to secure the passage of his bill to regulate the railroads, can not be made to see that there is any other method than by the measures he proposes, and while the Senate committee are willing to concede many things to him, they will not take his bill as it stands.

This morning he made the speech that is familiar to all who have been watching this legislation, for he has delivered it every session in the House for a dozen years and every week in the committee-room. He had reached that point where he declares that every man who will not accept his bill is a friend and defender of the grasping monopolies, and was going on to say that the Senate bill was a sham and intended to humbug the people, when Senator CULLOM interrupted him. The Senator said he did not propose to listen to any more such talk. The gentleman from Texas had made that same speech the day before, and had uttered similar reflections upon himself, the author of the bill, and the Senate, which passed it unanimously. He was willing to hear it once, but did not propose to sit there and have REAGAN reiterate every day that the Senate bill was intended to deceive and humbug the people. The Senate committee had spent three years in studying the question, and believed they understood quite as much about it as the gentleman from Texas, and were quite as honest in their efforts to secure proper legislation as he. It was an insult that he resented when the gentleman from Texas declared that he and his colleagues were the tools of monopolists. He gave notice that the remark could not be repeated in his presence.

Mr. CULLOM was very angry, and Mr. REAGAN was very much surprised. He had made the same assertions so often that they flowed from his lips naturally, and he did not realize what they meant. As soon as he had recovered from his surprise he said he did not intend to reflect upon the honesty of the Senator from Illinois or any of his colleagues. "Then withdraw your words," replied CULLOM, "and don't repeat them here again." Mr. REAGAN did so, and the committee went on with its work.

Mr. REAGAN. I ask the Clerk to read Senator CULLOM's letter in the New York World of December 7.

The Clerk read as follows:

A CARD FROM MR. CULLOM.

To the Editor of the World:

My attention has been called to a Washington dispatch in the World of Saturday which purports to give an account of "a lively scene" that is alleged to have occurred between Judge REAGAN and myself at a meeting of the conference committee on the interstate commerce bill. I deem it but just to Judge REAGAN to say that no such dispute as is described in the dispatch referred to has taken place in the committee, and that the proceedings of the conference committee have been conducted in the most friendly spirit on the part of all those participating and with no more friction than naturally occurs when men honestly differ in their opinions and are called upon to express them.

S. M. CULLOM.

WASHINGTON, December 6.

Mr. REAGAN. Let the Clerk also read the World's article of December 8, which I have marked.

The Clerk read as follows:

CAPITAL NEWS NOTES—MORE ABOUT THAT CULLOM-REAGAN ROW OVER COMMERCE.

[Special to the World.]

WASHINGTON, December 7.

Senator CULLOM, of Illinois, in a card in to-day's World tries to create an impression that there was exaggeration in a report in the World giving an account of a recent set-to between him and Congressman REAGAN in a conference meeting over the interstate commerce bill. Senator CULLOM did check Mr. REAGAN in his speech and protest against the character of the Texan's remarks. Senator CULLOM would not venture to make oath to the contrary. Other members of the committee have confirmed the report. It was agreed to suppress the story of the difference in the interests of an agreement on the bill. Mr. REAGAN thought that the story might injure his Senatorial chances, and so demanded that Mr. CULLOM should write the card, as part of the pledge of secrecy, and Mr. CULLOM wrote it to secure an agreement on the bill.

Mr. REAGAN. Senator CULLOM's letter shows that no such scene occurred as is described in the World's first article. He states the truth.

The only possible foundation I know of for the statement made in that article may be that in considering the bills before us I said the commission would serve more as a buffer between the people and the railroads than to promote the ends of justice. Referring to this, Senator CULLOM said, with some warmth, that my statement was a reflection upon Senators, and he did not wish it repeated; to which I rejoined that I was speaking of the effects of the bill and had no reference to the motives of Senators.

We then proceeded without further remark with the consideration of the bills before us.

I made no speech on that occasion; no such scene occurred as is described in that article; no injunction of secrecy was made; nothing was said about my remarks being an insult to be resented; no such language was used to me as "then, withdraw your remarks, and don't repeat them here again."

The World's second article is an aggravation of the falsehoods and slanders contained in the first by assuming that Senator CULLOM was "trying to create the impression that there was exaggeration in a report in the World giving an account of a recent set-to between him and Congressman REAGAN in the conference committee over the interstate commerce bill." It then impliedly admits its false statements in the first article by saying "Senator CULLOM did check Mr. REAGAN in his speech" and "would not venture to make oath to the contrary." It also aggravates the former offense by reaffirming that "it was agreed to suppress the story of difference in the interest of an agreement on the bill," and by stating that "Mr. REAGAN thought the story might injure his Senatorial chances, and so demanded that Mr. CULLOM should write the card." I made no demand of Senator CULLOM to write his card or for any other purpose.

I can have no quarrel with a creature base enough to invent and send for publication the falsehoods and slanders contained in the World's articles. But I think it my duty to say that they appear in a newspaper owned, controlled, and published by Joseph Pulitzer, who was lately honored by the people of the city of New York with a seat in this House, and who, during a part of last session, was my associate as a member of the Committee on Commerce. By publishing those statements he shows himself capable of prostituting his paper to create sensation, increase its sale, and make pecuniary profit out of the pain and injustice wantonly inflicted upon others.

Mr. Pulitzer can not excuse himself, inasmuch as he has made no apology for these wrongs, by assuming that these scandalous papers were invented and published by his employes and not by himself. A just and honorable man would not employ or retain in his service men capable of such conduct.

ORDER OF BUSINESS.

The SPEAKER. The Chair will proceed, as the regular order, to call committees for reports, beginning with the Committee on Pensions.

The call of committees was proceeded with.

Mr. DUNN. I move the call be suspended, as it is evident there are no reports to be made.

The motion was agreed to (more than two-thirds voting in the affirmative), and the further call of committees for reports was suspended.

TAXATION OF PARTS OF A GALLON OF DISTILLED SPIRITS.

Mr. MORRISON. Mr. Speaker, I desire to make a privileged report from the Committee on Ways and Means.

The SPEAKER. The gentleman will proceed.



Mr. MORRISON. The Committee on Ways and Means, to which was referred the bill (H. R. 4833) relating to the taxation of fractional parts of a gallon of distilled spirits, have directed me to report the same back with the amendments of the Senate, and to move that the amendments be non-concurred in; and further, that the request of the Senate for a conference on the disagreeing votes of the two Houses be agreed to.

The SPEAKER. Is the reading of the amendments of the Senate demanded? If not, the question will be put to the House upon non-concurrence and upon agreeing to the request of the Senate for a conference.

The amendments of the Senate were non-concurred in, and the request for a conference on the disagreeing votes of the two Houses was agreed to.

The SPEAKER. The Chair will announce the managers of the conference on the part of the House some time during the day.

#### PRINTING OF THE PRESIDENT'S MESSAGE.

Mr. BARKSDALE, from the Committee on Printing, reported back the resolution providing for the printing of the President's last annual message, with an amendment filling the blank with "20,000;" so the resolution will then read as follows:

*Resolved*, That there be printed 20,000 additional copies of the President's last annual message, for the use of the House.

The amendment was agreed to; and the resolution as amended was adopted.

Mr. BARKSDALE moved to reconsider the vote by which the resolution as amended was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

#### RESTRICTING OWNERSHIP OF REAL ESTATE IN TERRITORIES.

Mr. PAYSON. I call up as a privileged report from the Committee on Public Lands the amendments of the Senate to the bill (H. R. 3280) to restrict the ownership of real estate in the Territories to American citizens, &c., and to move that the amendments of the Senate be non-concurred in; and further that the request of the Senate for a conference on the disagreeing votes of the two Houses be agreed to.

There was no objection, and it was ordered accordingly.

#### EXTENSION OF THE FREE-DELIVERY SYSTEM.

The SPEAKER. Under the rules the regular order is the consideration for one hour of bills reported from committees, and the hour begins at 5 minutes before 1 o'clock. The unfinished business is the bill coming over from yesterday, reported from the Committee on the Post-Office and Post-Roads, a bill (H. R. 7536) to extend the free-delivery system of the Post-Office Department, and for other purposes, reported from that committee with amendments.

Mr. DOCKERY. Mr. Speaker, I ask by unanimous consent, if the pending bill be not disposed of in the hour allotted to it, the time shall be extended for at least thirty minutes, when it is expected we shall be able to get through with it.

Mr. DUNHAM. What is the bill?

The SPEAKER. It is the bill for the extension of the free-delivery system reported from the Committee on the Post-Office and Post-Roads.

Mr. CALDWELL. I wish it to be distinctly understood that unless the Committee on the Post-Office and Post-Roads gets through with its bill in this half-hour extension, the House shall then proceed at once to the consideration of the regular order, which is the bill relating to the election of President and Vice-President.

The SPEAKER. That is, thirty minutes after the expiration of the hour?

Mr. CALDWELL. I wish it distinctly understood that they are not to have more than half an hour of extension of time; that if they are not then through they shall give way to the electoral-count bill.

The SPEAKER. Is there objection?

Mr. RANDALL. Yes; I object.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, informed the House that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 1424) for the relief of graduates of the United States Military Academy.

The message further announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 1990) to provide for the adjustment of matters connected with certain judicial proceedings in Pennsylvania in which the United States was a party.

#### EXTENSION OF FREE-DELIVERY SYSTEM.

Mr. DOCKERY. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill pending at the expiration of the hour on yesterday, for the extension of the free-delivery system; and move that all debate upon the first section of the bill and amendments thereto be limited to twenty minutes.

It was so ordered; and the House accordingly resolved itself into Committee of the Whole House on the state of the Union (Mr. HATCH in the chair).

The CHAIRMAN. The House is now in Committee of the Whole for the further consideration of the bill (H. R. 7536) to extend the free-delivery system of the Post-Office Department, and for other purposes.

The question is on the amendment of the gentleman from Illinois [Mr. CANNON], and the gentleman from Missouri [Mr. DOCKERY] is entitled to the floor.

Mr. CANNON. Mr. Chairman, after consulting with the Committee on the Post-Office and Post-Roads, and understanding that they propose to offer an amendment which substantially covers the same ground, I withdraw my amendment.

Mr. DOCKERY. Mr. Chairman, I am instructed by the Committee on the Post-Office and Post-Roads to offer the amendment I send to the desk as a substitute for all of the first section after line 6, and down to and including the word "dollars" in the twentieth line.

The Clerk read as follows:

And may be so employed at every place containing a population of not less than 10,000 within its corporate limits, according to the last general census taken by authority of State or United States law; or at any post-office which produced a gross revenue for the preceding fiscal year of not less than \$10,000.

Mr. DOCKERY. I do not at this time wish to discuss the measure, but will reserve that portion of the time to which I may be entitled under the order of the House, until I can hear such suggestions as may be made by gentlemen who may oppose the bill.

Mr. COX, of New York. Mr. Chairman, I am glad to welcome the amendment which has been proposed by the gentleman from Missouri just read. That amendment is in the right line, but it might go further. The amendment which is now offered goes to the matter of revenue as well as the matter of boundary of the town or city for which the free-delivery service is proposed.

It is more significant and pertinent to this bill to care for this system with reference to the cost and income of the service than with reference to the mere question of geographical boundary of such city or town. I was prepared yesterday to vote for the amendment of the gentleman from Illinois, as well as to welcome the amendment now proposed by the committee.

This free-delivery system is not thoroughly understood either in the country or the House. May I, therefore, take the liberty, sir, to say—as one who has had what I may call some maternal solicitude over the letter-carrier system—that it is a paying business. It brings a surplus to the Treasury. The surplus by this system began in 1874-'75. It amounted then only to \$67,517.55. It has grown steadily, until to-day it amounts to over \$1,500,000 and more, or to be accurate, \$1,526,936.27. This represents the excess of postage on local matter over the cost. The cost of 1885-'86 was \$4,312,306.70. The postage was \$5,839,242.97. The 181 letter-carriers carried nearly two billions of pieces—or 1,949,520,590. There is an increase of the business of 11.75 per cent., and an increase of the number of carriers of only 11.08 per cent. The cost is less per piece, less by one-tenth of a mill. The gain of the past year is equal to 17.93 per cent. There is a good surplus, as will be seen. It amounts to nearly a million and a half dollars.

Where does this surplus come from? It comes, the great bulk of it, from the city of New York. This I am proud to say. The letter-carriers of that great city—the Knights of the Letter—day after day have worked at this business and have produced \$1,263,339.62 more than it has cost for the service in that city. In other words, the cost in that city has been \$642,396.09; the return of this hard-worked and poorly-paid service in that city is \$1,905,735.61.

What becomes of that magnificent surplus? Only 18 other cities pay the cost of the service in the United States. Out of the 181 offices which have the free-delivery system, only 19 of them pay the expenses. Of this 19, with a saving of \$1,500,000, and more, New York provides over \$1,263,000, and therefore when it comes to the question of the disposition of this money, New York should be allowed a voice as well as Philadelphia, Saint Louis, and other cities that combine to produce the surplus.

The amendment of the gentleman from Missouri on the committee should be welcomed; but I should like it to go further. I shall introduce an amendment at the proper time showing wherein this revenue may be utilized even to a greater extent.

The Postmaster-General has said in his report that he desires the bestowal of this grand system of free delivery to the extent of the "utmost privileges of our people." What are the utmost privileges? How will you limit them? They should not be limited to the boundary lines of the city. That is foregone. If the delivery can be made even outside of such lines and give a service that pays, it should not be limited to the amount of revenue, \$10,000, as proposed in this bill. True, some limit must be fixed. The committee undertake to do that. But why not go further and allow the Postmaster-General in his discretion, between the decennial periods, or between the periods of State censuses, which are infrequent and irregular, to ascertain by data outside of the census what the populations of these growing cities and towns are from time to time, so that this large surplus, this one and a half millions of dollars set aside by the industry of the letter-carriers and a good administrative system, shall go in the interest and for the "utmost privileges" of the people?

[Here the hammer fell.]

The CHAIRMAN. The Chair will recognize any gentleman who desires to speak in opposition to the amendment.

Mr. COX, of New York. I follow up what I have suggested with the amendment to the amendment, which I send to the desk.

The Clerk read as follows:

In line 18, page 2, after the word "law," insert the following: "or according to any other data satisfactory to the Postmaster-General."

Mr. PETERS. The portion which the gentleman desires to amend it is proposed shall be stricken out.

Mr. COX, of New York. To give some little unity to my remarks I will proceed to say that that amendment is intended to reach those cities and towns which may within the decennial period reach 10,000 population. We cannot always tell by the census how our towns in the West and the Southwest may be growing. We had an illustration of it yesterday, stated by the gentleman from Arkansas [Mr. ROGERS].

In the vicissitudes of our astounding growth there is room for general congratulation, so that if one State or section seems lagging in the race of progress, it is only in seeming. The whole body develops and grows. In the last apportionment for members of this body which I had the honor to propose, I bid the politicians prepare for the inevitable changes made by the census. In the relative strength New England fell from 28 per cent, in 1790, to less than 10 in 1870; the Middle States from 1820 to 1860 fell from 32 to 23 per cent.; the Southern States only fell from 45 per cent. in 1800 to 34.8 in 1860, while the West and Southwest bounded from 3 per cent. relative increase in 1810 to 31 per cent. in 1870. The general increase was 30.07 per cent. At this rate, in 1910 we will have 100,000,000. Where will they be located? The census of 1880 will show. In relative strength Texas mounted to 94, South Carolina to 41, Arkansas to 65, while the New England and the Middle States fall below the relative average. California leaps up to 54, Iowa to 36, Michigan to 38, Minnesota to 77, Oregon to 92, Nebraska to 268, and Colorado to 388. This increase seems decennial, but really it is year by year. A town of one thousand to-day, next year it is five, the year after seven, and the year after that ten thousand. New York would neither stint their growth nor limit their privileges, and out of the profits of one million and a third of the one million and a half dollars made in New York by the system, she would be glad to see the advancing element of every State and town recognized in our practical legislation. It is not in our power to stay the orb of power or eclipse its glory by discriminations based on little town-boundaries. The star will continue to keep its western way for new conquests over the mines and fields of the great heart and extreme border of our land. Along with it arises out of its long trial the Southern Cross, to add its symbolic cluster to the constellation. Let us take a pride on every feasible occasion to foster this advancement by legislation. This amendment is on the line of that principle.

I make this statement, as the committee will see, for the purpose of showing that we can not properly regulate this matter to run by any census returns to the Department or elsewhere.

Now, shall those cities lie out of the privileges—"the utmost privileges," to use the language of the Postmaster-General—to which they would be entitled out of this vast surplus, accumulated by our free-delivery system? I hold, sir, this is a great trust fund. The greater part of this surplus has originated in New York city; but I do not think New York city to-day, through any of her representative men, either in or out of Congress, would object to having the privileges of this most valuable system extended to the new cities and towns that are springing up in the South and Southwest with such marvelous rapidity. Therefore, though I may not expect the adoption of this amendment, yet while I favor the great advance made by the committee in adding, first, forty-three to the number of these delivery cities, and then agreeing to make the addition to the number, under the pending amendment suggested by the gentleman from Illinois, amount to some one hundred and ninety, I would suggest that this additional amendment would only involve a cost of half a million dollars, while there is a surplus of a million and a half of dollars, out of which our country's interests in this matter may be properly subserved.

Mr. DOCKERY. I fully appreciate the interest of my distinguished friend from New York [Mr. Cox] in the marvelous growth and development of the West and Southwest. I hail from that quarter, and have personal knowledge of the rapid progress that is being made in the increase of our wealth and population. While that is true, I would not desire to carry the advantages of this free-delivery system to any city the population of which is ascertained by the warp and bias of a local enumeration. The custom and practice of the Post-Office Department have usually been, as I am advised, to base the extension of this service upon an enumeration taken under the authority of Federal or State laws. I know, sir, that in many of the cities of the West and Southwest there have been marvelous strides in the increase of population; but this growth of population is amply provided for by the amendment of the committee, which authorizes the extension of the system to cities the post-offices of which have produced for the preceding fiscal year a gross revenue of \$10,000. There are now but eleven cities in the United States that have 10,000 population and do not produce \$10,000 gross postal revenue. Therefore, it will be observed that the amendment of the committee does not deny to the growing cities of the West the benefits of this system.

I sincerely hope that the amendment of the gentleman from New

York [Mr. Cox] will not be adopted. I trust that the House will stand by the action of the committee, which, by the proposed amendment, will extend this system to 179 cities of the American Union. Every State in the Union is benefited under the provisions of this bill; and I do not believe it wise to extend the system any further for the present. Now, Mr. Chairman, allow me a word of explanation in regard to the second and third sections of the bill. These sections make no changes whatever in the salary account of the carrier service, but simply classify it. As the law stands at present there are first and second class carriers and auxiliary carriers. These sections of the bill provide for first, second, and third class carriers, the third class taking the place of the auxiliary carriers. The Attorney-General has decided that where an auxiliary carrier is appointed there must be a principal, either a first or a second class carrier; so that the effect of this bill, if it has any effect at all (and it does affect the salaries to this extent), will be that for the first year of a free-delivery office the Postmaster-General will be authorized to inaugurate the system with third-class carriers, thus saving the difference between the salaries of first and third class carriers.

[Here the hammer fell.]

Mr. BLOUNT. Mr. Chairman, the amendment proposed by the Committee on Post-Offices and Post-Roads is substantially the recommendation made by the Postmaster-General in his report to Congress at the last session. The same recommendation—a repetition of it—is contained in his last report. During the last session of Congress, with the view of enlarging the operations of the free-delivery system, the Committee on Post-Offices and Post-Roads, apprehending that so large a proposed increase of the service might result in no increase at all because of the defeat of the measure, adopted the proposition contained in the bill to which this amendment is now offered. That was the sole reason. The committee at that time felt that it was important that the service should be extended, probably to the extent desired by the Department.

At a meeting of the committee held this morning—the first opportunity they have had to consider the subject this winter—the committee were encouraged to take the forward step proposed in this amendment, first, by repetition of the recommendation in the report of the Postmaster-General; second, by the recommendation of the President, and third, by the additional fact which the report of the Postmaster-General discloses, that the net increase of revenue during the last fiscal year is over \$200,000, equal to one-half of the increased expense that would be occasioned by carrying out this proposition, even if the service were all put on by the 1st day of July next, which can not possibly be done, and the increase during the next fiscal year will probably be as great as the proportionate increase of expenditure. For these reasons I think the House will not feel that the committee have been hasty or careless in proposing this measure.

One word more. I trust that the proposition of my friend from New York [Mr. Cox] will not be adopted, because it has already been considered by the Department, and has been there regarded as not a wise measure, but as likely to bring in patched-up returns, prepared under the influence of local interests, and calculated to mislead the Postmaster-General and Congress. If it be said that every ten years is not often enough to ascertain the population of our cities, and that it is a hardship that a growing city should be compelled to wait for the next census before it can get the benefit of this service, the answer is that the hardship is greatly ameliorated by the other provision that where the post-office yields a gross revenue of \$10,000 this service may be put on. I trust that the Committee of the Whole will see fit to vote down the proposition of the gentleman from New York and to accept that of the Committee on Post-Offices and Post-Roads, and then allow us to go forward to one or two other matters which we desire to have disposed of with as little delay as possible.

Mr. COX, of New York. Mr. Chairman, as the committee have acted so handsomely in regard to the amendment proposed yesterday, I will not stand in the way of their disposing of this bill promptly. I therefore withdraw my amendment. [Cries of "Vote!" "Vote!"]

The CHAIRMAN. The time has expired for debate upon the section and amendments. The Clerk will read the pending amendment.

The Clerk read as follows:

Strike out all after line 6, down to and including the word "dollars" in line 20, and insert: "may be so employed at every place containing a population of not less than 10,000 within its corporate limits according to the last general census, taken by authority of State or United States law, or at any post-office which produced a gross revenue for the preceding fiscal year of not less than \$10,000."

The amendment was agreed to.

The amendment of the committee as amended was then adopted.

On motion of Mr. DOCKERY, line 26, section 1, was amended by striking out the word "and" after the word "population" and inserting "or."

The next section of the bill was read as follows:

SEC. 2. That there may be in all cities which contain a population of 75,000 or more three classes of letter-carriers, as follows: Carriers of the first class, whose salaries shall be \$1,000 per annum; of the second class, whose salaries shall be \$850 per annum; and of the third class, whose salaries shall be \$600 per annum.

An amendment reported by the Committee on the Post-Office and



Post-Roads to strike out in line 5, after the words "eight hundred," the words "and fifty" was agreed to.

The next section of the bill was read, as follows:

Sec. 3. That in places containing a population of less than 75,000 there may be two classes of letter-carriers, as follows: Carriers of the second class, whose salaries shall be \$850 per annum, and of the third class, whose salaries shall be \$600 per annum. This act shall take effect on the 1st day of July, A. D. 1886.

Mr. DOCKERY. I am instructed by the committee to move to strike out in lines 6 and 7 of the section just read these words:

This act shall take effect on the 1st day of July, A. D. 1886.

The amendment was agreed to.

Mr. MCADOO. I move to amend the pending section by adding, after the word "annum," in line 6, the following: "All carriers shall not be employed over eight hours in any day without extra pay for each hour over eight they may be kept at work."

Mr. DOCKERY. I hope the gentleman will not press that amendment.

Mr. BLOUNT. I trust it will be withdrawn. Our committee has but little time, and there are several matters of importance which we desire to bring up. To press the amendment which has been read will amount to a defeat of this bill, which I know the gentleman from New Jersey does not desire.

Mr. MCADOO. I will ask my friend from Missouri whether that proposition will come up in a separate bill.

Mr. DOCKERY. Yes, sir.

Mr. MCADOO. I withdraw the amendment.

The last section of the bill was read, as follows:

Sec. 4. That all laws inconsistent herewith are hereby repealed.

Mr. DOCKERY. I move that the committee rise and report back to the House the bill as amended.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. HATCH reported that the Committee of the Whole House on the state of the Union having had under consideration the bill (H. R. 7536) to extend the free-delivery system of the Post-Office Department, and for other purposes, had directed him to report back the same with sundry amendments.

Mr. DOCKERY. I demand the previous question upon the amendments, and on ordering the bill to be engrossed and read a third time.

The previous question was ordered.

Mr. DOCKERY. I suggest that the question on the amendments be taken in gross.

There being no objection, the question was taken upon agreeing to all the amendments reported from the Committee of the Whole on the state of the Union; and they were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time.

Mr. DOCKERY. I demand the previous question on the passage of the bill.

The previous question was ordered.

Mr. WARNER, of Ohio. Ought we not to have the yeas and nays on the passage of this bill?

Several MEMBERS. Oh, no.

Mr. WARNER, of Ohio. I shall vote against the bill, but I will not insist on the yeas and nays.

The bill was passed.

Mr. DOCKERY moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

#### ORDER OF BUSINESS.

Mr. BLOUNT. I now yield to my colleague on the committee, the gentleman from Indiana [Mr. WARD].

The SPEAKER. The Committee on Public Lands are now entitled to call up business for consideration.

Mr. BLOUNT. Has the Committee on the Post-Office and Post-Roads no time remaining?

The SPEAKER. The bill just disposed of came over as unfinished business from yesterday, and the time of the committee has been exhausted. The gentleman from Illinois [Mr. PAYSON], representing the Committee on Public Lands, is recognized.

Mr. PAYSON. I am directed by the Committee on Public Lands to call up for present consideration—

Mr. WARNER, of Ohio. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WARNER, of Ohio. The bill just passed did not occupy a full hour yesterday, but only part of an hour. Is not the Post-Office Committee entitled to further time?

The SPEAKER. The bill just passed came up for consideration during the hour yesterday, and was unfinished business at the expiration of that hour. Under these circumstances, the committee was entitled to the remainder of the hour to-day, if necessary, to complete the consideration of that bill, but for no other purpose.

Mr. BLOUNT. Would it be in order, with the consent of the gen-

tleman from Illinois [Mr. PAYSON], to make a request at this time for unanimous consent?

The SPEAKER. It would be.

Mr. BLOUNT. I ask the gentleman from Illinois to yield for a moment that I may make such a request. The gentleman from Indiana [Mr. WARD], on behalf of the Post-Office Committee, desires to call up a bill authorizing the employment of mail messengers in the postal service—a matter at present unauthorized by law, although indispensable to the business of the Post-Office Department. I think there will be no objection to the passage of a bill legalizing such employment, and I ask unanimous consent that the gentleman from Indiana be allowed to bring up that bill now for consideration.

Mr. PAYSON. Will it provoke any discussion?

Mr. BLOUNT and Mr. DOCKERY. None.

The SPEAKER. The Chair hears no objection.

#### MAIL MESSENGERS.

Mr. WARD, of Indiana. I am instructed by the Committee on the Post-Office and Post-Roads to call up for present consideration the bill (H. R. 8346) authorizing the employment of mail messengers in the postal service.

The SPEAKER. This bill is in the Committee of the Whole House on the state of the Union.

Mr. WARD, of Indiana. If in order, I ask unanimous consent that the Committee of the Whole House on the state of the Union be discharged from the further consideration of the bill, and that it be now considered in the House.

The SPEAKER. If there be no objection that order will be made.

There was no objection.

The bill was read, as follows:

*Be it enacted, &c.,* That the Postmaster-General be, and he is hereby, authorized to employ such mail-messenger service as may be necessary for the carriage of the mails in connection with railroad and steamboat service, transfer service between depots, over bridges or ferries, between post-offices, post-offices and branch offices or stations, in cases where by existing laws and regulations of the Post-Office Department railroad companies, steamboat companies, and the masters of vessels are not required to deliver into and take from the post-offices the mails carried on their lines or vessels.

An amendment reported by the Committee on the Post-Office and Post-Roads was read, as follows:

In line 8, strike out "existing" and insert "the."

Mr. WARD, of Indiana. Mr. Speaker, the purpose of this bill, which has the approval of the Post-Office Department, is obvious on its face, and in view of the necessity of the measure, I think there can be no objection to its immediate passage. Unless some gentleman desires to be heard upon the subject, I will ask the previous question.

Mr. HOLMAN. I notice from the reading of the bill that it refers to rules and regulations of the Post-Office Department, as to the transfer and delivery of mails within the distance, I believe, of a quarter of a mile of post-offices.

Mr. DOCKERY. Eighty rods.

Mr. HOLMAN. That matter, I understand, is regulated by law, not by a mere rule of the Department.

Mr. DOCKERY. It is a rule of the Department.

Mr. HOLMAN. I think it will be found to be a law.

Mr. WARNER, of Ohio. There is no law authorizing this messenger service at all, although the service has been performed for the last fifteen years. This bill is designed to make lawful what has thus been practiced for a number of years under regulation of the Department.

Mr. HOLMAN. It has been practiced for more than twenty years past.

Mr. DOCKERY. But under no law.

Mr. HOLMAN. It has been the practice for more than ten years. If there is no law, then what the gentleman proposes may be proper.

The amendment of the committee was agreed to, and the bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time.

The question recurred on the passage of the bill.

Mr. McRAE demanded a division.

The House divided; and there were—ayes 112, noes 12.

Mr. McRAE. No quorum has voted.

The SPEAKER appointed as tellers Mr. McRAE and Mr. WARD, of Indiana.

Mr. BLOUNT. I ask, by unanimous consent, that the hour be regarded as closed after the passage of this bill.

The SPEAKER. If the hour shall expire during the pendency of the bill, it will resume its place on the Calendar.

Mr. BLOUNT. Let the call of the Committee on Public Lands go over until the next morning hour.

Mr. McRAE. Very well, then; I will withdraw my point of no quorum.

The bill was passed.

Mr. WARD, of Indiana, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

## ELECTION OF PRESIDENT AND VICE-PRESIDENT.

The SPEAKER. The House resumes the consideration of the unfinished business coming over from yesterday, which is an act (S. 9) to fix the day for the meeting of the electors of President and Vice-President, and to provide for and regulate the counting of the votes for President and Vice-President, and the decision of questions arising thereon.

Mr. CALDWELL. Mr. Speaker, recognizing the impatience which has been manifested at the delay, by early adjournment, of the consideration of the electoral-count bill, I gave notice, yesterday, when we resumed its consideration I would ask the House to order the previous question after twenty minutes had been taken up in debate. I propose to stand by that announcement, and now yield five minutes to the gentleman from New York [Mr. BAKER].

Mr. BAKER. Mr. Speaker, the bill under consideration proposes to carry into execution a power conferred by the Constitution, section 8 of Article I, which provides that Congress shall have power—

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

It is conceded that the language quoted is a delegation to Congress of power to provide for carrying into effect the power to open and count the votes of the electors lodged in the President of the Senate.

By section 1 of Article II it is provided by the Constitution that—

Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in Congress; but no Senator or Representative or person holding an office of trust or profit under the United States shall be appointed an elector.

Also, that—

The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

The bill before us proposes:

1. To fix a day for the meeting of the electors of President and Vice-President;
2. To provide for and regulate the counting of the votes for President and Vice-President; and
3. The decision of questions arising thereon.

If, by appropriate enactment, Congress can provide against a recurrence of the vexed questions that once threatened the welfare and peace of our country; if we shall be able to legislate so as to enable the execution of the constitutional provisions and powers governing the selection of the chief magistrate of the nation, so that the possibility of dissension and strife shall be avoided, this Congress will do much to merit commendation.

In legislating upon this important subject it must be remembered that the power is now vested by the Constitution in the President of the Senate, who "shall, in the presence of the Senate and House of Representatives, open all of the certificates, and the votes shall then be counted." That by the action of the very first Congress at its first session, April 6, 1789, as we learn from the Annals of Congress, volume 1, pages 16 and 17, the two Houses of Congress, having organized in accordance with constitutional requirements, "the President elected for the purpose of counting the votes declared that the Senate and House of Representatives had met, and that he, in their presence, had opened and counted the votes of the electors for President and Vice-President of the United States." That the practice and precedent thus inaugurated and established have ever since governed.

That Congress had in it many of the men who had participated in the deliberations of the body which framed the Constitution, or who had been members of the conventions of the several States by which the instrument had been considered and ratified. Their judgment, thus expressed, has been commented upon and approved by both Kent and Story. The former says:

The Constitution does not expressly declare by whom the votes are to be counted and the result declared. In the case of questionable votes and a closely-contested election this power may be all-important, and I presume in the absence of all legislative provision on the subject that the President of the Senate counts the votes and determines the result, and that the two Houses are present only as spectators to witness the transaction, and to act only if no choice be made by the electors.

The latter, in his Commentaries on the Constitution, says:

In the original plan, as well as in the amendment, no provision is made for the discussion or decision of any questions which may arise as to the regularity and authenticity of the returns of the electoral votes, or the right of the persons who gave the votes, or the manner, or the circumstances, in which they ought to be counted. It seems to have been taken for granted that no question could ever arise on the subject, and that nothing more was necessary than to open the certificates which were produced, in the presence of both Houses, and to count the number and names as returned.

The pending bill, as stated by the gentleman from Tennessee [Mr. CALDWELL] decides, first, that the power to count the vote is not in the President of the Senate. I submit that my friend is in error in that respect. Precedent and the opinions of learned commentators seem to differ with him. If the Constitution, then, does, as I believe, by fair implication, vest in the President of the Senate the power and duty not only to open, but also to count, the votes, then Congress can not, by this or any other legislation, take away or transfer to any other person or officer that power and duty. It has been well said that Con-

gress can not take upon itself any of the power granted to the executive and judicial departments of the Government; that it can not assume unto itself a duty which is imposed upon an officer of the Constitution. Prior to 1804, when the new twelfth amendment was formally adopted, Congress had enacted legislation for the purpose of providing for the execution of the Constitution regarding the election of electors. Again, after the adoption of the twelfth amendment, Congress legislated upon the subject, but at no time does there appear to have been expressed any doubt as to the power to count the votes being lodged in the President of the Senate.

The twelfth amendment reads:

## ARTICLE XII.

The electors shall meet in their respective States and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each; which lists they shall sign and certify, and transmit sealed to the seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted; the person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the 4th day of March, next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of electors appointed, and if no person have a majority, then from the two highest numbers on the list; the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

It appears that the Constitution prescribes the duties and powers of the electors when appointed or elected by the several States. Congress can not abridge or enlarge such powers, nor can Congress in any manner interfere with their constitutionally prescribed duties. Such duties are to vote, list their votes, sign and certify such lists and transmit them sealed to the seat of Government of the United States, directed to the President of the Senate. When these duties have been discharged, then, at the time fixed, they are to be opened and counted, and the result announced in the presence of the two Houses of Congress by the President of the Senate, the only officer recognized by the Constitution or authorized to do any act in relation to the subject, and who is required to perform his duties in the presence of the two Houses, upon whom no duty seems to be imposed, no power conferred, unless it appears that no person has a majority of the votes of the electors; in which case the House of Representatives shall immediately, and by ballot, choose as President one of the three persons having the highest number of electoral votes; and in case the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them before the 4th day of March next following, then the Vice-President shall act as President. A failure of the electors to elect a Vice-President confers, under the Constitution, the power on the Senate to elect that officer.

Does the proposed bill enlarge the powers or duties of the Senate and House of Representatives? Does it interfere with the full expression through the electors of the people's preference? Can we conclude that the framers of the Constitution, when they conferred upon the respective Houses of Congress the extraordinary powers prescribed by the Constitution, intended to invest them with the still more extraordinary power of rejecting and thereby creating by themselves and for themselves the contingency which alone gives them the right and power to elect a President and Vice-President? Can the reasoning of a learned Senator be resisted when he says:

The mere statement of such a proposition is its own refutation, and if no such power rests with the two Houses for concurrent action, how much more preposterous does it seem to be to claim that it rests with either House alone, and especially with the House of Representatives, with which body the power to elect a President abides in the event of a failure of the electors to elect.

Such a doctrine would stand as a perpetual menace to the peace of this country. It would establish an ever-present temptation to Congress to intermeddle with the elections of Presidents. When the framers of the Constitution expressly prohibited Senators and Representatives from appointment as electors, they clearly indicated their purpose to exclude them from all power in or over the matter of the election of a President by the electors appointed by the States.

This was the understanding which the members of the First Congress had of the Constitution, as is evidenced by their proceedings in the ascertainment of the results of the first Presidential election. For a long period of time the practice then adopted was followed without substantial change. All through the period when the minds most active in the formation of our Constitution and those of forceful action in the early affairs of our governmental movements controlled or influenced Congress with respect to the ascertainment of the results of Presidential elections the precedent of the First Congress was in all substantial respects followed.

In my judgment, Mr. Speaker, the pending bill is clearly in conflict with the Constitution. This is an effort honestly conceived to remedy what seems to be a defect in that instrument by congressional enactment. I believe our Constitution in the respect indicated is not in the



best form. We can not correct it by our act. We can not confer on ourselves power not authorized by the Constitution.

Let us do now what should have been done some years ago—inaugurate a proceeding for the necessary amendment of the Constitution. Fifteen times the people in the method pointed out by the fundamental law have amended the Constitution. It were far better to do what has been done so many times in the past, secure in the proper method the necessary amendment to the Constitution, rather than incur the risks and dangers incident to the doubtful expedient now under consideration.

[Here the hammer fell.]

Mr. CALDWELL. I now yield for fifteen minutes to the gentleman from Alabama [Mr. HERBERT].

Mr. HERBERT. Mr. Speaker, this bill has come over to us as I understand by a practically unanimous vote on the part of the Senate, Democrats and Republicans. That body has four times passed and sent to this House this bill, or one very similar to it. I hope the time has come when the House is at last ready to pass the bill in some shape or other.

No question has been more thoroughly and ably discussed in the last ten years than that involved in this bill—the counting the electoral vote. Eleven years ago the country was on the eve of civil war because we had a disputed Presidential election and no law provided under which the count could be made. The Electoral Commission was resorted to. The country submitted to the result, but was never satisfied with it. It was the natural, and perhaps the inevitable, result. The country never will be satisfied in any political case with a temporary expedient or device under a law passed at the moment, after parties had taken sides on the question. The party losing under such circumstances will naturally believe it has been cheated. The people of this country are law-loving and law-abiding, but they want laws passed before cases arise, and not with reference to any special case that may have arisen. When a party loses a suit under a law passed beforehand, without reference to his particular case, even though he may believe injustice has been done him, has no feeling of personal wrong or personal indignation against the law-making power, because he knows that human laws must be imperfect. Like the upright judge, when he is compelled to decide what his conscience does not approve, he says: "This, indeed, is very hard, but so the law is written." And therefore it is that an unjust law, an imperfect law, is better than no law at all. Let the people know beforehand what the law is and what they are to expect.

This bill, Mr. Speaker, provides in effect that the President of the Senate shall not count the vote but that it shall be counted under the direction of the two Houses. That construction of the Constitution I understand to be agreed upon by a large majority of the able men who have considered the question in the last ten years. The gentleman from New York [Mr. BAKER] who has just taken his seat contends that the President of the Senate has that power. Once and only once in the history of the Government did the President of the Senate count the vote, and that was in 1789.

Mr. REED, of Maine. The first time?

Mr. HERBERT. Yes, the first time; but the question had never then been debated or discussed as it has been since, and if the precedent was set then it was abandoned immediately afterward, and never from that day to this has it been adopted or followed.

I think it is an open secret that in 1876 the President of the Senate, Mr. Ferry, was ready to count the vote, believing that he would be sustained in this action by the administration; but his party, at that time in control of the Senate of the United States, after a thorough and exhaustive examination of all the precedents which were compiled and collated, decided that he had not the power. The claim was not insisted on, because it could not be sustained.

The ablest speech made, I think, on that question was that of Senator Conkling. It would be impossible to condense his splendid argument or for me to repeat it, but his position, unanswerably maintained, was this: The sole provision in the Constitution touching this question is this: "The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted." Here is a duty imposed upon the President of the Senate. He shall, in the presence of the Senate and House of Representatives, open the certificates. Then the first person is dropped and the third person is taken up; there the sentence changes its construction; there the duty imposed upon the President of the Senate ceases, and afterwards a new part of speech is used—the third person is adopted, and a verb relating to a noun in the third person, "the votes," employed, and a new duty imposed by the words "and the votes shall then be counted."

Again, to quote consecutively the words imposing a duty on the presiding officer—

The President of the Senate shall open all the certificates—  
there the duty ceases—  
and the votes shall then be counted.

Counted by whom? Let us examine. The provision is that the opening of these certificates shall be in the presence of the Senate and House of Representatives.

Why are they present? They must have a duty to perform, and

they can be there but for one purpose, the purpose of superintending the counting of the votes after the President of the Senate shall have opened the certificates. Now this construction has been agreed upon, I think I may say, by nine-tenths of the Democrats in Congress, as well as by nine-tenths of the Republicans.

They have discussed the question over and over again in the Senate; and this bill, as I have said before, has come to us practically in the same shape, and practically by the unanimous vote of both parties in that body, four different times. If this bill is correct, then in its first proposition, that the vote is to be counted in the presence of the Senate and House of Representatives by and under their superintendence and direction, it necessarily follows that it is to be done in the presence of the Senate as an organized body, and in the presence of the House as an organized body.

The words are not in the presence of the members of the Senate, or in the presence of the members of the House of Representatives, but in the presence of the Senate, which can only mean the organized Senate, and the House of Representatives, which can only mean the organized House of Representatives.

Here, then, we have, according to the construction agreed upon by such great weight of authority, two distinct bodies that are to be present and take part in the count of the votes. Just there arises the difficulty this bill proposes to provide for. If two organized bodies, two persons, are to count, there will be no count if they disagree, because counting is an affirmative act. If one says count this vote and the other says no, then there can be no count of that vote. To provide, as far as possible, against such disagreements, the bill provides that the States may appoint tribunals by law enacted before elections take place, and that by these tribunals each State for itself may decide who are its regularly chosen electors.

I have not time to discuss this proposition, but it seems to me fair and reasonable; and if no one has a better plan—and during ten years no more acceptable plan seems to have been suggested—then it does seem that the House of Representatives ought to agree to this proposition. I understand the House Committee having this bill in charge are practically unanimous, nearly all being in favor of decisions by State tribunals; but the minority say they want to reserve to the States the right to pass a law even after an election.

Mr. Speaker, to me this proposition seems mischievous in the extreme. It would simply give the power to any State, after an election was held and a dispute had arisen, to trump up in that State an electoral commission to decide that question according to rules to be made for the occasion, which would enable it to reach precisely the decision desired by the majority in the State Legislature. This is the first objection. The second is equally as strong. Unless you provide beforehand that State laws establishing these tribunals or conferring jurisdiction on tribunals already established shall be passed in advance of the election, no State will take the trouble to pass such laws. If the States know that they can, whenever a case arises, convene the legislature and pass a bill to dispose of each electoral question, you remove all probability of the passage of such laws. I do not know, not having heard distinctly the arguments on the other side, but presume that gentlemen adopt the theory that this is a violation of the rights of the States to prescribe any such condition. Now, to me it seems there is nothing in this argument, because here the Constitution vests in the Federal Government the power to count the votes; and the exercise of that power is a Federal function, to be controlled by the Federal Government. The rules of evidence we have the right to prescribe, because the Constitution is silent upon the question. A power has been given, and it is perfectly plain that the Constitution vests in Congress the power to enact what legislation is necessary and proper to carry out the purposes of the provision granting the power.

One argument used by the gentleman on the other side, who has just taken his seat, is drawn from the writings of Chancellor Kent. In that quotation Chancellor Kent says that while it is his opinion the President of the Senate has the right to count the vote, that it is only "in the absence of legislation," clearly implying that, according to his idea, the right exists in Congress to legislate on the subject.

Now, Mr. Speaker, I find that my time is about to elapse and that I am not able to go on with the argument which I had proposed to offer in connection with this bill. Let me say, however, that I hope the principal amendment recommended by the majority of the committee will prevail. I am for this bill with that amendment, or I am for it without the amendment; but I think it provides one further safeguard that ought to be enacted into law.

In conclusion let me say that a grave responsibility will rest upon us if we fail to provide some mode of counting the electoral vote. We witnessed the peril into which the country was drawn in 1876; we heard the murmurs which followed the decision of the Electoral Commission; we remember how for hours and days the country trembled two years ago at the thought that another disputed Presidential election was at hand and no law providing for its settlement. We have heard the demand coming up from all quarters of the land, and I do hope the House will not refuse to pass some law on the subject.

Mr. CALDWELL. I yield one minute to the gentleman from Alabama [Mr. OATES].

Mr. OATES. I desire to offer an amendment striking out of section 4, in lines 20 and 21, these words:

And the names of the persons, if any, elected.

So that it will read:

The result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote; which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice-President of the United States.

The SPEAKER. The Chair desires to state that unless there is some other understanding on the floor the amendments proposed by the committee, which are always considered as pending, must be disposed of first.

Mr. OATES. I only ask this to be considered after the amendments proposed by the committee are disposed of. I desire to offer it at this stage because the gentleman from Tennessee [Mr. CALDWELL] has notified me he was about to move the previous question on the bill and pending amendments.

The SPEAKER. When the gentleman from Tennessee asks the previous question he can indicate on what amendments he desires it to operate.

Mr. EDEN. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. EDEN. It is whether the amendment I proposed will be cut off by the previous question.

The SPEAKER. The Chair supposes, unless there be some understanding to the contrary, that no amendments are considered as pending at this stage except those of the committee.

Mr. EDEN. I will ask the privilege of offering that amendment, so that it may be covered by the previous question.

The SPEAKER. The Chair would suggest that all gentlemen who desire to offer amendments send them to the Clerk's desk before the previous question is demanded, so that gentlemen representing the committee may hear what they are and decide as to whether they shall be covered by the previous question.

Mr. EDEN. My amendment was sent up at the beginning of the remarks I made yesterday.

The SPEAKER. But it is not pending unless there is some understanding to that effect.

Mr. EDEN. I will ask the privilege of offering it now so that it may be considered as pending after the previous question shall be ordered.

The SPEAKER. The gentleman from Illinois asks consent that the amendment he sent yesterday to the desk shall be considered as pending.

There was no objection.

Mr. CALDWELL. I yield for a moment to the gentleman from South Carolina [Mr. DIBBLE].

Mr. DIBBLE. I simply rise for the purpose of offering formally the amendments contained in the views of the minority of the committee which the Clerk has at the desk.

The SPEAKER. If there be no objection they will be considered as pending.

There was no objection.

Mr. CALDWELL. I now ask the previous question on the bill and amendments.

Mr. FINDLAY. Before the question is taken on ordering the previous question—

Mr. CALDWELL. I insist on my motion.

Mr. FINDLAY. I desire to offer an amendment to correct what the committee themselves, I think, will recognize to be a defect in the verbiage of the bill.

Mr. CALDWELL. I yield to the gentleman from Maryland [Mr. FINDLAY] for a moment that I may understand what he proposes; but in doing so I do not abandon the floor.

The SPEAKER. The gentleman from Maryland will state what he proposes.

Mr. FINDLAY. I have reduced my amendment to writing. I propose to strike out in line 14 of section 3, on page 2, the words "the same," and insert the word "similar." I do this on the principle of *simile non est idem*. You say "the same certificate," and you have already provided that that is to go to the Secretary of State.

Mr. CALDWELL. The language is "the same certificate in triplicate."

Mr. FINDLAY. It is not the same, but similar. And then, in line 15, you should change "certificate" to "certificates," making it plural; so that it will read:

Similar certificates in triplicate under the seal of the State.

I also want to add in line 28 of the same section the words:

And shall also transmit a similar certificate to the President of the Senate.

That is a certificate of the determination which has been made in any case of a controversy or a dispute. The bill does not provide that the President of the Senate shall have the determination certified to him where there has been a dispute or controversy in the State. You provide that it shall go to the Secretary of State. It seems to me the President of the Senate, who has all the other papers, should have cer-

tified to him the determination where there has been a controversy or dispute.

Mr. CALDWELL. I decline to yield for those amendments.

Mr. FINDLAY. I send up my amendments.

The SPEAKER. The gentleman from Tennessee declines to yield and has demanded the previous question.

Mr. FINDLAY. What is the effect of ordering the previous question?

The SPEAKER. If the previous question is ordered it cuts off all amendments except those which have been reported by the committee and those which by unanimous consent are considered as pending.

The previous question was ordered.

The SPEAKER. The Clerk will report the first of the amendments proposed by the majority of the committee.

The Clerk read as follows:

On page 5, line 38, after the word "one" insert the word "lawful."

Mr. CALDWELL. I call the attention of the Clerk to the fact that in the report he will find a verbal amendment which comes before that one. It is to insert on page 3 of the bill, line 22, after the words "State of," the word "a;" so that it will read:

And if there shall have been any final determination in a State of a controversy, &c.

This was omitted in the Senate bill; but I find that in the print I have before me the article is inserted.

The SPEAKER. If there be no objection that correction will be made.

There was no objection.

The Clerk read as follows:

Page 5, line 38, after the word "one" insert the word "lawful."

Mr. CALDWELL. The committee have determined to abandon that amendment.

The amendment was not agreed to.

The Clerk read the next amendment, as follows:

Page 5, lines 38 and 39, after the word "rejected" strike out the words "except by the affirmative votes of both Houses."

The question was taken, and there were—ayes 72, noes 70.

Tellers were ordered, and the Speaker appointed Mr. CALDWELL and Mr. ADAMS, of Illinois, to act as tellers.

The House again divided, and the tellers reported—ayes 101, noes 86.

So the amendment was agreed to.

The Clerk read the next amendment, as follows:

Strike out in lines 61, 62, and 63, after the word "which," in line 61, the words "the two Houses acting separately shall concurrently decide to be the lawful votes of the legally appointed electors of such State."

Mr. DIBBLE. Mr. Speaker, the minority of the committee propose to amend that amendment by their amendment No. 3, which is at the Clerk's desk.

The minority amendment was read, as follows:

Amend the amendment proposed by the majority of the committee by striking out from the said amendments the words "unless the two Houses, acting separately, shall concurrently decide such votes not to be the lawful votes of the legally appointed electors of such State."

The amendment of the minority was rejected—ayes 7, noes 89.

The amendment of the committee was then agreed to.

The SPEAKER. These are all the amendments proposed by the committee. The minority propose certain amendments, which will now be read.

Mr. EDEN. Mr. Speaker, the amendment which I offered comes in, I think, before the minority amendments. It was offered with the consent of the majority of the committee.

The SPEAKER. The minority has pending an amendment to section 2, and the amendment of the gentleman from Illinois [Mr. EDEN] is to section 4. That fact, however, would not control the question of priority in considering the amendments.

The Clerk read the next amendment, as follows:

In section 2, lines 1, 2, and 3, strike out the words "laws enacted prior to the day fixed for the appointment of the electors," and insert the word "law;" and in line 8 of the same section strike out the words "so existing on said day."

The amendment was rejected.

The Clerk read the next amendment, as follows:

In section 2, lines 5, 6, and 7, strike out the words "and such determination shall have been made at least six days before the time fixed for the meeting of the electors;" and in line 9 of the same section strike out the words "at least six days," and the word "said" in the same line.

The amendment was rejected.

The SPEAKER. The amendment offered by the gentleman from Alabama [Mr. OATES] comes next in order.

The Clerk read the amendment, as follows:

Amend section 4 by striking out of lines 20 and 21 the following words: "and the names of the persons, if any, elected;" so that the provision, if amended, will read: "who [the President of the Senate] shall thereupon announce the state of the vote; which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice-President of the United States."

The question was taken; and there were—ayes 27, noes 37.

Mr. OATES. No quorum.



The SPEAKER. The point being made that no quorum has voted, the Chair will appoint as tellers the gentleman from Alabama [Mr. OATES] and the gentleman from Tennessee [Mr. CALDWELL].

The House again divided; and the tellers reported—ayes 61, noes 90; no quorum voting.

Mr. CALDWELL. I call for the yeas and nays on this question.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 141, nays 109, not voting 72; as follows:

## YEAS—141.

Allen, J. M.	Dawson,	Laffoon,
Bacon,	Dibble,	Lawler,
Barksdale,	Dockery,	Le Fevre,
Barnes,	Dougherty,	Long,
Barry,	Dunn,	Lovenag,
Blanchard,	Eldredge,	Maloney,
Bland,	Ermentrout,	Martin,
Blount,	Everhart,	Maybury,
Boyle,	Findlay,	McAdoo,
Bragg,	Fisher,	McCreary,
Breckinridge, C. R.	Foran,	McMillin,
Breckinridge, WCP	Ford,	McRae,
Brown, W. W.	Forney,	Merriman,
Burrows,	Frederick,	Miller,
Cabell,	Gay,	Mills,
Caldwell,	Gibson, C. H.	Morgan,
Campbell, Felix	Gibson, Eustace	Morrison,
Campbell, J. E.	Glass,	Muller,
Campbell, T. J.	Glover,	Murphy,
Candler,	Green, R. S.	Neal,
Carleton,	Green, W. J.	Norwood,
Catchings,	Hall,	Oates,
Clardy,	Hammond,	O'Ferrall,
Cobb,	Harris,	O'Neill, J. J.
Collins,	Hatch,	Peel,
Comstock,	Hemphill,	Pindar,
Cowles,	Herbert,	Ranney,
Cox, S. S.	Hewitt,	Reagan,
Cox, W. R.	Hill,	Richardson,
Crain,	Holman,	Riggs,
Crisp,	Hudd,	Robertson,
Croxton,	Hutton,	Rogers,
Daniel,	Johnston, T. D.	Rusk,
Dargan,	Jones, J. H.	Sayers,
Davidson, A. C.	Jones, J. T.	Seney,
Davidson, R. H. M.	Kleiner,	Seymour,

## NAYS—109.

Allen, C. H.	Farquhar,	Lindsley,
Anderson, C. M.	Fleeger,	Louttit,
Anderson, J. A.	Fuller,	Lyman,
Atkinson,	Funston,	Markham,
Baker,	Gallinger,	McComas,
Bayne,	Goff,	McKenna,
Bingham,	Groat,	McKinley,
Boutelle,	Hale,	Millard,
Brady,	Hayden,	Moffatt,
Brown, C. E.	Haynes,	Morrill,
Buchanan,	Heard,	Morrow,
Buck,	Henderson, T. J.	Neece,
Bunnell,	Hermann,	Nelson,
Butterworth,	Hiestand,	O'Hara,
Bynum,	Hires,	O'Neill, Charles
Campbell, J. M.	Hitt,	Osborne,
Caswell,	Holmes,	Outhwaite,
Conger,	Hopkins,	Owen,
Cooper,	Jackson,	Payne,
Culbertson,	James,	Payson,
Cutcheon,	Johnston, J. T.	Perkins,
Davenport,	Kelley,	Peters,
Davis,	Ketcham,	Phelps,
Dorsey,	La Follette,	Piote,
Dunham,	Laird,	Plumb,
Eden,	Landes,	Reed, T. B.
Ely,	Lanham,	Rice,
Evans,	Lehibach,	Rockwell,

## NOT VOTING—72.

Adams, G. E.	Dowdney,	Johnson, F. A.
Adams, J. J.	Ellsberry,	King,
Aiken,	Felton,	Libbey,
Ballentine,	Geddes,	Little,
Barbour,	Gilfillan,	Lore,
Belmont,	Grosvenor,	Lowry,
Bennett,	Guenther,	Matson,
Bliss,	Halsell,	Milliken,
Bound,	Hanback,	Mitchell,
Browne, T. M.	Harmer,	Negley,
Brumm,	Henderson, D. B.	O'Donnell,
Burleigh,	Henderson, J. S.	Parker,
Burnes,	Henley,	Perry,
Cannon,	Hepburn,	Petitbonc,
Clements,	Hiscock,	Pidcock,
Compton,	Houk,	Randall,
Curtin,	Howard,	Reese,
Dingley,	Irlion,	Reid, J. W.
		Sadler,
		Scott,
		Seranton,
		Shaw,
		Smalls,
		Spriggs,
		Stahlnecker,
		Steele,
		St. Martin,
		Stone, W. J., Mo.
		Storm,
		Symes,
		Throckmorton,
		Trigg,
		Wadsworth,
		Ward, J. H.
		Weaver, A. J.
		White, A. C.

So the amendment was agreed to.

The following pairs were announced:

Mr. TRIGG with Mr. HOUK, until further notice.

Mr. DOWDNEY with Mr. BRUMM, until Saturday next.

Mr. STORM with Mr. LITTLE, until further notice.

The following-named members were announced as paired for this day:

Mr. MATSON with Mr. GILFILLAN.

Mr. HENDERSON, of North Carolina, with Mr. GROSVENOR.

Mr. THROCKMORTON with Mr. LIBBEY.

The following-named members were announced as paired on this vote:

Mr. BURNES with Mr. HENDERSON, of Iowa.

Mr. RANDALL with Mr. CANNON.

Mr. CURTIN with Mr. HARMER.

Mr. HALSELL with Mr. WADSWORTH.

The result of the vote was announced as above stated.

Mr. OATES moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The SPEAKER. The Clerk will now read the amendment offered by the gentleman from Illinois [Mr. EDEN].

The Clerk read as follows:

After the word "State," in line 37, of section 4, insert "which shall have been regularly given by electors whose appointment has been certified to according to section 3 of this act;" so that the clause will read as follows:

"And the Speaker of the House of Representatives shall, in like manner, submit such objections to the House of Representatives for its decision; and no electoral vote or votes from any State which shall have been regularly given by electors whose appointment has been certified to according to section 3 of this act, from which but one return has been received, shall be rejected."

The amendment was agreed to; there being—ayes 30, noes 26.

The bill as amended was ordered to a third reading; was accordingly read the third time, and passed.

Mr. CALDWELL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

## DEPARTMENT OF AGRICULTURE.

Mr. HATCH. I move that the House now resolve itself into Committee of the Whole on the state of the Union, for the further consideration of the bill (H. R. 5190) to enlarge the powers and duties of the Department of Agriculture.

The SPEAKER. The gentleman from Missouri [Mr. HATCH] calls up for consideration the special order, the bill he has indicated, and moves that the House now resolve itself into Committee of the Whole on the state of the Union, to resume its consideration.

The motion of Mr. HATCH was agreed to.

The House accordingly resolved itself into Committee of the Whole on the State of the Union, Mr. SPRINGER in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 5190) to enlarge the powers and duties of the Department of Agriculture.

Mr. HATCH. Mr. Chairman, I am under the impression that general debate on this bill has been limited by order of the House and that the time has all been occupied with the exception of some forty minutes. I ask the Chairman to turn to the record, and by so doing I think it will be found that the gentleman from Iowa [Mr. WEAVER] is now entitled to the floor, and has remaining some thirty or forty minutes.

The CHAIRMAN. The Chair is informed that the gentleman from Iowa is entitled to the floor for thirty-seven minutes.

Mr. HATCH. What further time for general debate remains under the order of the House?

The CHAIRMAN. The Chair is not advised at present, but will look at the record to ascertain that fact. The gentleman from Iowa [Mr. WEAVER] is now entitled to the floor for thirty-seven minutes.

Mr. REAGAN. I should like to know before the gentleman proceeds exactly how much time remains for debate on this question?

The CHAIRMAN. The Clerk informs the Chair that the time remaining is one hour and fifty-four minutes, of which the gentleman from Iowa is entitled to thirty-seven minutes.

Mr. REAGAN. Does the Chair say the one hour and fifty-four minutes are to be consumed by one side only?

The CHAIRMAN. The discussion on this bill took place at the last session of Congress, and the Chair is not now advised as to what was the division of time.

Mr. REAGAN. It would seem strange that nearly two hours on one side should be taken up in closing the debate.

The CHAIRMAN. The time seems to have been disposed of under an order of the House, for which the Chair is not responsible.

Mr. WEAVER, of Iowa. Mr. Chairman, the object of this bill is to give to the industrial interests of the country an executive department whose head shall be a member of the President's Cabinet, on equal footing with every other member of that body. It may be claimed that it is a new departure. So it is; and so was the bill that established the Department of the Interior at a recent period in the history of the country.

Now, if this bill shall become a law it will give the united industrial interests of the country a status which they have not had during the first century of the Republic. It will give the united labor interests a voice in Cabinet councils, in shaping the policy of administrations, and in criticising laws and policies. They have been excluded for a century. It is time for a change.

To my mind, sir, this is a proper bill. It is an important step toward the solution of the controversy now going on between associated capital and organized labor.

The head of this department will be authorized to make separate reports to Congress, one concerning the condition of labor in the country, and the other concerning the condition of agriculture, to be bound separately, inasmuch as they go to different constituencies.

This bill, Mr. Chairman, comes before the House, and it is unusual, with the sanction of two committees.

I had the honor during the first week of the first session of this Congress to introduce a bill to organize a department of labor. The honorable chairman of the Committee on Agriculture [Mr. HATCH] introduced a bill at the same time to organize the department of agriculture, and the pending bill is a union or combination of all the substantial provisions of both those bills. Wage-workers and agriculturists are associated by the same law, subject to the same vicissitudes, and ought to be represented in the Cabinet councils. I hope the bill may pass and become a law without serious objection.

I reserve the remaining portion of my time.

Mr. HATCH. I yield to the gentleman from Texas for ten minutes.

Mr. REAGAN. Mr. Chairman, I examined this subject to some extent during the last session, but for some time have had my mind withdrawn from the subject. I desire to state, however, the committee's bill has for its effect to make the Commissioner of Agriculture an executive officer, and is limited to such provisions as relate to the interests of agriculture and labor. For the House bill I have offered a pending substitute, which was prepared very carefully by Mr. KENNA, now a Senator from West Virginia. That bill, which I introduced, is a bill (H. R. 8674) to establish the department of industries; and it is as follows:

*Be it enacted, &c.,* That there shall be at the seat of Government an executive department to be known as the department of industries, and a secretary of industries, who shall be the head thereof.

SEC. 2. That there shall be in the department of industries a division of agriculture, and to superintend said division a commissioner of agriculture, who shall be a practical agriculturist, and who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall be entitled to receive a salary of \$5,000 per annum.

SEC. 3. That for the purpose of collecting and disseminating all important and useful information concerning agriculture, and also concerning such scientific matters and industrial pursuits as relate to the interests of agriculture, the secretary of industries shall organize the following bureaus in the division of Agriculture, namely:

First. The bureau of agricultural products, which shall include divisions of botany, entomology, and chemistry; and the chief of which bureau, who shall be a practical agriculturist, shall investigate the modes of farming in the several States and Territories, and shall report such practical information as shall tend to increase the profits of the farmer; respecting the various methods: the crops most profitable in the several sections; the preferable varieties of seeds, vines, plants, and fruits; fertilizers; implements; buildings; and similar matters.

Second. The bureau of animal industry, to be in charge of a competent veterinary surgeon, who shall investigate and report upon the number, value, and condition of the domestic animals of the United States; their protection, growth, and use; the causes, prevention, or cure of contagious, communicable, or other diseases; and the kinds, races, or breeds best adapted to the several sections for profitable raising.

Third. The bureau of lands, the chief of which shall investigate and report upon the resources or capabilities of the public or other lands for farming, stock-raising, timber, manufacturing, mining, or other industrial uses. And all powers and duties vested in the commission now known as the Geological Survey, together with all clerks, employees, and agents, and all instruments, records, books, papers, &c., are hereby transferred to the department of industries. And the secretary of industries shall institute such investigations and collect and report such information, facts, and statistics relative to the mines and mining of the United States, and facilities for their ventilation and general operation, as may be deemed of value and importance.

SEC. 4. That in addition to the duties imposed by chapter 10, title 7, of the Revised Statutes, the secretary of industries shall cause to be collected and report the agricultural statistics of the United States; and, in addition, all important information or statistics relating to industrial education and agricultural colleges; to markets and prices; to modes and cost of transporting agricultural products and live stock to their final market; to the demand, supply, and prices in foreign markets; to the location, number, and products of manufacturing establishments of whatever sort, their sources of raw material, methods, markets, cost of transportation, and prices; to such commercial or other conditions as may affect the market value of farm products or the interests of the industrial classes of the United States. And the secretary is hereby authorized to establish such divisions in this bureau, and to make such monthly or other reports, as he shall deem most effective for the prompt dissemination of such reliable information respecting crops and domestic and foreign markets as will be of service to the farmers, miners, mechanics, laborers, or other industrialists of the United States.

SEC. 5. That there shall be in the department of industries a division of labor, which shall be under the superintendence of the commissioner of labor; and the bureau of labor, as provided for in chapter 127 of the acts of the Forty-eighth Congress, with its officers and duties, shall be transferred from the Department of the Interior to the department of industries.

SEC. 6. That there shall be in the department of industries a division of commerce, and to superintend said division a commissioner of commerce, who shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive a salary of \$5,000 per annum.

SEC. 7. That all divisions and subdivisions, bureaus or parts thereof, heretofore attaching to the Treasury Department by virtue of the provisions of chapter 10 of title 7 of the Revised Statutes, relating to the Bureau of Statistics, which shall hereafter be known as the bureau of external commerce; title 48, relating to commerce and navigation; title 49, relating to the regulation of vessels in foreign commerce; title 50, relating to the regulation of vessels in domestic commerce; title 52, relating to the regulation of steam-vessels; title 56, relating to the Coast Survey; title 55, relating to lights and buoys; sections 4801, 4802, 4803, 4804, 4805, and 4806, of chapter 1, title 59, relating to hospital relief for seamen; and chapter 265 of the acts of the Forty-fifth Congress, second session, relating to the Life-Saving Service, or by virtue of any law amendatory of said several provisions, or regulations in pursuance thereof, shall, from and after the passage of this act, be parts of the division of commerce in the department of industries; and the secretary of industries shall establish in said division of commerce a bureau of internal commerce, to be organized and governed as other bureaus in said division.

SEC. 8. That all duties devolving upon the Secretary of the Treasury by virtue

of the several provisions mentioned in the preceding section shall, from and after the passage of this act, be performed by the secretary of industries. The authority conferred and the duties imposed by said several provisions upon the Register of the Treasury shall, from and after the passage of this act, be exercised and discharged by the commissioner of commerce. All bonds authorized by any of the provisions aforesaid to be made payable to the Register of the Treasury shall, from and after the passage of this act, be made payable to the commissioner of commerce.

SEC. 9. That section 158, title 4, of the Revised Statutes is hereby amended by adding at the end thereof the words: "Eighth. The department of industries."

SEC. 10. That this act shall not be construed to interfere with the present organization of the various Departments, divisions, subdivisions, and bureaus embraced herein, except with reference to the transfer thereof to the department of industries, subject to the general provisions of law relating to regulations in the various Departments of the Government and appointments to office therein.

SEC. 11. That all acts and parts of acts inconsistent with this act are hereby repealed.

I have felt, Mr. Chairman, that I could occupy the time of the House to much better advantage by reading the provisions of this substitute, to show that it is a carefully prepared measure, the result of some years of labor on the part of Senator KENNA, with what labor I could give to it myself, and after full conference with the Departments of the Government.

As will be observed by the reading of the substitute, it makes a transfer of these surplus bureaus from the Treasury and Interior Departments to another Department of the Government, to be called the department of industries, with the necessary officers at its head. You will see also, by reference to the bill, that it is thoroughly perfect and matured, and if this bureau shall be created it will result in the transfer from the other Departments of the Government of everything relating to agriculture, to labor, and to commerce.

[Here the hammer fell.]

The CHAIRMAN. The time yielded to the gentleman has expired.

Mr. REAGAN. This is a very important measure, and I would be glad to be indulged for a few minutes longer.

Mr. HATCH. I will yield five minutes more to the gentleman from Texas.

Mr. REAGAN. Pursuing the same line of thought, it will be seen, Mr. Chairman, that this proposed substitute makes the head of this department of industries a Cabinet officer of the Government. In this it provides that the two interests of greatest possible importance in this country, the great industrial interests, agriculture and commerce, are given a place in the Departments of the Government as well as the benefit of an officer at their head who may be selected on account of his intelligence and ability to take care of and make suitable recommendations in relation to these important subjects.

A bare glance at the provisions of the bill for which that is offered as a substitute, and which I would read if I had the time, will show how much more perfectly drawn are the provisions of the substitute than are those of the original bill. While the original bill does not give a separate head to the department of agriculture, it gives a head to a department covering both agriculture and commerce, and makes the amplest provisions for officers with high salaries at the heads of both agriculture and commerce, so that we may thus collect all the information necessary with reference to the interests of agriculture and with reference to the interests of commerce—

Mr. WEAVER, of Iowa. Will the gentleman permit an interruption?

Mr. REAGAN. Certainly.

Mr. WEAVER, of Iowa. The trouble with the substitute of the gentleman from Texas, in my judgment, is, that it overlooks the great body of wage-workers entirely in this country. It provides a department for agriculture and for commerce, but it leaves out the labor interests of the country entirely.

Mr. REAGAN. I think my friend from Iowa has not paid attention to the reading of the substitute. It provides for a bureau of labor, incorporating the present labor legislation into it; and gives all the officers and powers necessary to collect information that the committee's bill gives on that subject.

In addition to that, while covering all in connection with labor, it covers also the interests of agriculture, providing a detailed organization for the department of agriculture, and also for the interests of commerce, with a detailed organization for the interests of commerce, with provisions, as I have already shown, for transferring the various bureaus from the different Departments of the Government which are properly connected with the department of industry. I feel satisfied that if the House had both bills before them, and could examine and compare them, they would not hesitate to determine that the substitute bill is in every respect preferable to that of the committee; and in order that you may see the force of this assertion, I will venture to read the committee's bill. It provides—

That the department of agriculture, established at the seat of Government of the United States, shall be an Executive Department, to be known as the department of agriculture and labor, under the supervision and control of a secretary of agriculture and labor, who shall be appointed by the President, by and with the advice and consent of the Senate; and section 158 of the Revised Statutes is hereby amended to include such department, and the provisions of title 4 of the Revised Statutes are hereby made applicable to said department.

SEC. 2. That there shall be in said department an assistant secretary of agriculture and labor, to be appointed by the President, by and with the advice



and consent of the Senate, and who shall perform such duties as may be required by law or prescribed by the secretary.

SEC. 3. That the secretary of agriculture and labor shall hereafter receive the same salary as is paid to the Secretary of each of the Executive Departments, and the salary of the assistant secretary of agriculture and labor shall be the same as that now paid to the Assistant Secretary of the Department of the Interior.

SEC. 4. That all laws and parts of laws relating to the department of agriculture now in existence, as far as the same are applicable and not in conflict with this act, and only so far, are continued in full force and effect.

SEC. 5. That there shall be in the department of agriculture and labor a division which shall be under the charge of a commissioner of labor, who shall be appointed by the President, by and with the advice and consent of the Senate. The commissioner of labor shall hold his office for four years, and until his successor shall be appointed, unless sooner removed, and shall receive a salary of \$4,000 a year. The commissioner shall collect information upon the subject of labor, its relation to capital, the hours of labor, the earnings of laboring men and women, the means of promoting their material, social, intellectual, and moral prosperity, and the best means to protect life and prevent accident in mines, workshops, factories, and other places of industry.

Which it seems to me is going to a very much greater length than Congress is warranted in going.

The secretary, upon recommendation of said commissioner, shall appoint a chief clerk, who shall receive a salary of \$2,000 per annum, and such other employes as may be necessary for said division. The commissioner shall annually make a report in writing to the secretary of agriculture and labor of the information collected and collated by him, and containing such recommendations as he may deem calculated to promote the efficiency of the division.

And I call attention especially to this provision—

The secretary of agriculture and labor shall be empowered to inquire into the causes of discontent which may exist between employers and employes within the United States, and he may invite and hear sworn statements from both such parties concerning the matters in controversy.

Which is going far beyond any power which the House has, in my judgment.

The secretary shall make a report annually to Congress upon the condition of labor in the United States, accompanied by such recommendations as he may deem important; and said reports, with accompanying documents, shall be printed and bound in a volume separate and apart from the reports on agriculture.

SEC. 6. That the act approved June 27, 1884, establishing a bureau of labor, is hereby repealed.

[Here the hammer fell.]

MR. HATCH. I now yield five minutes to the gentleman from Arkansas [MR. BRECKINRIDGE].

MR. BRECKINRIDGE, of Arkansas. Mr. Chairman, when this proposition was first broached in public discussion, I thought it was a good one; but subsequent reflection has satisfied and convinced me that it is bad both as regards the best interests of agriculture and as a question of public policy. In the first place, we propose to change the present industrial department of agriculture into a great political department of the Government, and when that is done we shall proceed to load it down with all manner of work other than that which is strictly germane to agriculture. Agriculture cannot fail to receive far less of practical attention from the Government under this proposed change than it receives at the present time. We now have our Commissioner, reporting only to the President and to Congress, and not liable to be loaded down, as this bill will load him down, with many other different kinds of work.

Then, sir, there is another consideration, and that is that for the first time in the history of this Government it is proposed to establish a great political division of government upon a basis that is not a function of the Government.

This is class legislation, so far as the title and aspects of the bill go, and of decided and vicious character. One of the great functions of government is to conduct operations of war, and hence we have a War Department and a Navy Department. One of the great constitutional functions of government is to deal with matters of taxation and to keep and pay out the public money, and hence we have the Treasury Department. And so you can go on through all the great divisions of public labor and you find that every one of the great political departments of the Government is predicated by name on what is a constitutional function of the Government. Our Government can constitutionally give certain aid to science; it must conduct certain public works, and it has a great commerce power. So, if it were proposed to have a department of science, or a department of public works, or a department of commerce, it would be in exact accord with the divisions of public labor and of public policy which we have followed in the past, and it would be logical and constitutional.

But now it is proposed to have a department of agriculture. The Government does not carry on agriculture. That is a pursuit and function of the people, and not of the Government. We might just as well have a department of surgery; we might just as well have a department of mines and mining; we might just as well have a department of any other pursuit of the people if we are not going to be invidious in our treatment of the various pursuits and classes of the citizens; all of which would be against the Constitution as it is, and as it ought to be. Sir, we want no favors. We want justice. We want no class legislation. We are fighting class legislation. We reject this delusive offer, fraught, as it is, with present injury to agriculture, dragging the present department of agriculture into politics to be presided over, with divided attention, by some politician, instead of, as now, by a practical agriculturalist, with nothing but this business to engage

his time. We give away our refusal to be treated as a class in the making of laws, consenting to the creating of new and unnecessary offices and to the increase of expenses that we must pay. We consent by this to an abhorrent breach in the Constitution and in our best political traditions. We sell our birth-right for a mess of pottage; for that which is sounding brass and a tinkling cymbal. We turn aside from our great purposes, and from the true path of relief.

Sir, what we ought to do is to pay proper attention to the commerce of the people, and to render that aid to science which is constitutional and proper; and when the great classes of the citizens in their personal and civil divisions of industry in this country come to Congress for relief, see to it, if they have grievances, that they are properly removed by making the laws of this country such as to apply with absolute equality and without distinction upon all classes of the people alike. Agriculture is not to be benefited by a name. Agriculture is not to be benefited by mere tinsel and frippery. This is but a deception. What agriculture needs is a repeal of those laws which have dethroned her from the imperial position which God gave her and which she ought to occupy in this land to-day.

Sir, it is not the lack of a department of agriculture which made the agricultural State of Indiana in the last decade, when the average increase of wealth in this country was \$90 per capita, increase her wealth by only \$3 per capita. It was not the lack of a department of agriculture which made the State of Missouri, when the average increase for the whole country was \$90 per capita, go back \$40 per capita from her estimated actual wealth at the beginning of the decade. It was not this that made my own State of Arkansas lose \$16 per capita when the average gain of the nation was \$90 per capita. Who got our share and more than their own? It was not so once. In God's name reduce your taxes. Cease making the farmer pay subsidy to privileged classes. You are crushing the people. Away with this delusive bill. You point to it as something done, and it increases burdens. Let us keep our real purposes in full view, obscured by nothing, holding fast to the doctrines of the fathers, and contend for repeals and not for new enactments.

[Here the hammer fell.]

MR. HATCH. I yield five minutes to the gentleman from West Virginia [MR. GIBSON].

MR. GIBSON, of West Virginia. It is to be hoped that those members on this floor who profess to be advocating the interest of agriculture will deal fairly and squarely with this bill. If they do they will tell you that the object of this bill is not to promote the agricultural interests of this country, but that its purpose is to subserve the interests of what they call the wageworkers of the land. In other words, if they deal honestly with the people they will admit that their purpose is to destroy and smother the agricultural interest of this country by blanketing it with an interest directly in opposition to it.

There is no man on this floor but knows that the wageworker demands cheap breadstuffs; that the wageworker demands that that which the farmer produces shall be sold to him at whatever he can buy it for. And at the same time the agricultural interest of this country is complaining that all the legislation tends simply to help those who are engaged in the protected interests, while those engaged in agriculture have no protection whatever for their labor.

If gentlemen desire to protect the agricultural interests of this country, let them break off the shackles of trade and allow the agriculturist to go into the markets of the world and sell his grain. Let them pass laws that will curb the monopolies and the extortion of railroads, so that there will no longer be five or six millions of dollars worth of grain rotting every year in our Western granaries.

But there are other objections to this bill. It undertakes not only to create a department of agriculture, but when we deny to the great Department of War an Assistant Secretary, when we deny to the great Department of the Navy an Assistant Secretary, this bill puts the department of agriculture ahead of either one of these Departments, and creates not only a secretary who shall be equal to the members of the Cabinet, but an assistant secretary also. Not only do they create an assistant secretary, but the bill goes further and creates a commissioner of labor, whose powers shall be as great as the powers of the Commissioner of Agriculture are now.

There is nothing in the world in the necessities of this case demanding such an advance in the creation of a department. If we desire a Department of Agriculture there is no reason why there should be two secretaries in that and only one in the War Department; no reason why there should be two secretaries in that and only one in the Navy Department; no reason why in addition to these two secretaries there should still be a commissioner of labor with the powers now exercised by the Commissioner of Agriculture.

The bill is top heavy. It creates officers for whose services the country has no use. It loads down the civil list of the country, adds to the taxation, and is only one of the many artifices now being used to get rid of that surplus taxation that is drawn from the people.

I want to repeat again that this bill is not in the interest of agriculture. It will not help one solitary farmer in all this land, but, like the much vaunted oleomargarine bill, it will only injure those whom it pretends to benefit.



## MESSAGE FROM THE SENATE.

The committee rose informally, and Mr. BRECKINRIDGE, of Kentucky, took the chair as Speaker *pro tempore*.

A message from the Senate, by Mr. MCCOOK, its Secretary, informed the House that the Senate insisted on its amendments, disagreed to by the House of Representatives, to the bill (H. R. 9798) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1887, and for other purposes; agreed to a further conference, and had appointed as conferees on the part of the Senate Mr. DAWES, Mr. PLUMB, and Mr. GORMAN.

## — DEPARTMENT OF AGRICULTURE.

The Committee of the Whole resumed its session (Mr. SPRINGER in the chair).

Mr. HATCH. Mr. Chairman, I now yield to the gentleman from Iowa [Mr. WEAVER] for the remainder of the time which he has reserved.

Mr. WEAVER, of Iowa. Mr. Chairman, I can see no force whatever in the suggestion of the honorable gentleman from Arkansas [Mr. BRECKINRIDGE] that this bill proposes to create a great political department. The same may be said of the Treasury Department. The same may be said of the Interior Department. Those are Executive Departments, but they are not necessarily political departments, nor were they created with that view. That they may have political significance is certainly no argument why they should not exist, and that this proposed department might have such significance is no argument why this bill should not pass, if it has intrinsic merits. The Secretary of the Treasury is nothing more nor less than a secretary of capital—capital is the product of labor. It is strange indeed if we may not have a department of labor.

No law can be passed relating to financial matters, no law can be passed affecting the public domain, no law can be passed relating to taxation that does not bear directly upon labor. But for the first hundred years in the history of the Republic labor has had no voice and has not been consulted. Labor has not been present and has had no friend at court.

It is high time that they should claim their rights and demand equal privileges and equal laws. The gentleman from Texas [Mr. REAGAN] thinks there is no warrant for this in the Constitution. We already have the very provision that he criticises in the bureau of labor now under the control of the Interior Department, and the only additional power proposed to be given to the commissioner of labor is the power to inquire into the causes of discontent which may exist between employers and employes, and to make recommendations in regard to remedies for such evils. He may invite the attendance of witnesses and receive the sworn statements of both parties to the controversy. This is a power greatly needed.

The gentleman from Arkansas [Mr. BRECKINRIDGE] concedes that the Government has great power over the commerce of the country. So it has. But what are the sources of commerce? Labor and agriculture. Without them this country would be a barren waste. Without labor and without the agricultural pursuits we should have no commerce. Now, this bill simply proposes to give these great sources of wealth a position commensurate with their dignity and importance; a position where they can make themselves heard and felt; where their criticisms upon policies and upon laws can be given effect, and where they can command the respect of the people and of the law-makers. How any evil can possibly result from this is more than I can comprehend. It will be productive only of good. This bill is demanded by the great body of wageworkers in this country. It is indorsed by the leading labor organizations and by the leading agriculturists of the country, and it has received the unanimous indorsement of the Committees on Labor and on Agriculture. I reserve the remainder of my time.

Mr. HATCH. I yield five minutes to the gentleman from Kansas [Mr. ANDERSON].

Mr. ANDERSON, of Kansas. Mr. Chairman, as regards the objections to this bill on constitutional grounds just presented by my friend from Arkansas [Mr. BRECKINRIDGE], I am not one of those who are limited by constitutional interpretations, either in a desire for legislation or in voting for legislation, which shall protect the working people of this country against such oppressions as may by circumstances be placed upon them; therefore I care nothing whether heretofore executive departments have only been organized upon the basis of a constitutional function of government or not. We have to-day a Department of Agriculture; and the practical question now presented by these bills is whether we shall include in that department commerce and agriculture, according to the substitute proposed by the gentleman from Texas [Mr. REAGAN], or, on the other hand, adopt the committees' bill, which includes in this department labor as well as agriculture.

As to the first proposition, for one I am opposed to combining commerce and agriculture in the same executive department, for the simple reason that it means an attempt to combine the interest of the railroad companies with the interest of the farmers; and those two things are in practical effect to-day as dissimilar and antagonistic as are gunpow-

der and a coal of fire. Hence I do not want the two brought together. The farmer is oppressed and robbed enough now by railroad corporations, without having the department which for years has been given to him alone, that of agriculture, turned over practically into hands that may be subjected to railway manipulation.

Coming to the other proposition, that of uniting labor and agriculture, we find a natural affiliation between these two great groups. There is a mutuality of interest; and if this is to be a "political department," as has been alleged in the debate, though I do not so understand it, then certainly there are no two classes in this nation that should more properly combine because of a mutuality of interest—I do not mean formally—in securing their rights as against corporate oppression. In my judgment, the sooner and the more completely they act together in common defense the better will it be for them and the whole nation. For this reason, if there must be a union of interests in this executive department, I would very much rather have the union of labor and agriculture than the union of commerce and agriculture.

It seems to me, Mr. Chairman, referring to an objection made, I think, by my friend from West Virginia [Mr. GIBSON], that there is something more proposed by this bill than a mere "name." If it is simply proposed that the present Commissioner of Agriculture shall be called a secretary, and be only the figure-head of a department, if that is all, then let the whole thing fail.

But back of that there is something more. You have to-day represented in Cabinet meeting the financial and manufacturing interests of the country, the interests of our Army and Navy, of patentors, Indians, and railroads. Why shall not the material interests of seven-tenths of our people be represented in Cabinet meetings by a secretary of agriculture and labor? Why not thus do for them whatever it may be possible to do in the way of shaping the policy of an administration when matters are in plastic form? Why not let the men who labor, whether in the furrow or in the shop, the farmers, the mechanics, the day-workers, these great masses of our nation, have a representative at that table—have there at all times some one competent to express their opinions and requirements, and charged with the duty of maintaining their interests as against conflicting interests in a Cabinet meeting?

More is proposed than a "mere name;" more is proposed than simply to have a secretary who shall be called the head of the department of agriculture. It is proposed to have a department, which, by its action month by month, shall give to the farmer and the laboring man of our country such information as shall be of specific advantage to them. In other words, it is proposed to collect from different quarters of the globe information as to the prices of wheat, the condition of crops, the effect of transportation rates—to give this intelligence promptly to the farmer; and equally specific and valuable intelligence for the benefit of the wageworker. What harm can come from this? What is there wrong in it? Why not educate the masses in this way? Why not give to them that exact and special information which will make their labor more profitable to them, and thus enhance the general prosperity?

It does seem to me that the time has come when it is fair and reasonable that a nation like ours, a nation which has its whole power in the people, and from the people, should, under that broad constitutional power and duty to "promote the general welfare," not only establish the department of agriculture and labor, but enlarge it, fully equip it, and give it special direction, so that the laboring men of this country, whether in shops or on the broad prairies, where are to be found to-day the great mass of those who constitute the nation and its power, shall have an intelligent representative in a Cabinet meeting who has direct access to the Presidential ear.

I thank the gentleman from Missouri [Mr. HATCH] for the five minutes yielded me.

[Here the hammer fell.]

Mr. HATCH. Mr. Chairman, I desire to call attention to the fact that the present bill is no new measure in the House of Representatives. The propositions embodied in the first section of this bill, except that embraced in the words "and labor," have been before the House for its consideration and action in the past three Congresses. In the third session of the Forty-sixth Congress, on the 7th of February, 1881, Mr. AIKEN, from the Committee on Agriculture, moved to suspend the rules and pass a bill similar to this, the bill (H. R. 4909) on which motion the yeas were 164, the nays 83, not voting 45; so that the measure failed by only one vote to receive the necessary two-thirds. Again, in the first session of the Forty-seventh Congress a bill (H. R. 4429) was reported to the House by Mr. ANDERSON, from the Committee on Agriculture, was made a special order, and, after full consideration and discussion, passed the House on the 10th of May, 1882, by the overwhelming vote of yeas 183, nays 7, not voting 101.

Again, in the second session of the Forty-eighth Congress, on the 15th of December, 1884, Mr. AIKEN, from the Committee on Agriculture, moved to suspend the rules and pass the bill (H. R. 1457); which, after consideration under the rules, passed the House by the decisive vote of yeas 166, nays 69, not voting 88.

The opposition made to this bill on the part of the gentleman from Texas [Mr. REAGAN], the gentleman from Arkansas [Mr. BRECKIN-



RIDGE], and the gentleman from West Virginia [Mr. GIBSON] I have heard ventilated on this floor during the past three Congresses. Every time this measure has been before the House of Representatives certain members have attacked it on the ground that there is no specific warrant in the Constitution for the establishment of a department of agriculture.

They can find abundant warrant in the Constitution for the establishment of a War Department, with a Secretary of War who has charge to-day of the forces of our little Army, top-heavy with officers, and numbering less than twenty-eight thousand men, I am told! And yet it is perfectly unconstitutional to erect a great department of the Government, having the interest of more than thirty millions of people in charge, more than half of the people of the United States who engage in agriculture!

It is unconstitutional to place a representative of that great interest in the Cabinet of the President, but it is constitutional to have a Secretary of the Navy, with a few boats, not one of which ever dares to get four miles from shore, and which never meets one of these coal-sows, and happens to come into collision with it, without going to the bottom of the sea. [Great laughter.] Yet it is perfectly constitutional to have a Secretary of the Navy with a little navy which you can hide between here and the mouth of the Potomac River. [Laughter and applause.] It is perfectly constitutional to make a Secretary of the Navy, with all the tinselry and tomfoolery round that Department, and place him at the Cabinet table; but thirty millions of people engaged in agriculture are not to be entitled to the same consideration! It is perfectly constitutional and legitimate to erect a Department of the Interior, and let the land question and a few Indians be represented in the Cabinet of the United States, but the great labor interests of the country, agriculture and labor, must be driven out into the cold and insulted on the floor of this House year after year by the charge it is nothing but a seed bureau for the distribution of pumpkin-seed, and for that purpose a Commissioner of Agriculture is enough. [Laughter.]

So long as I hold a seat on this floor my voice will be raised in behalf of that great body of people who have demanded through every authorized organization known to agriculture in this country this bill should pass the Congress of the United States. Agriculture has in the United States a few organizations. We have an organization in this country known as the Grange. It has a national organization, and it has State, county, and local organizations. For the past ten years it has spoken at every one of its meetings in behalf of the passage of this bill. Yet the gentleman from Arkansas [Mr. BRECKINRIDGE] undertakes to say that agriculture does not need it. Who authorized him to utter that sentiment on this floor? Every organization of farmers in the State of Arkansas which has met in the last ten years has declared to the contrary. The rooms of the Committees on Agriculture of the Senate and of the House to-day are filled with petitions from your State in favor of the passage of this bill. Every labor organization in the United States to-day has indorsed the provisions of this bill. We are asking for agriculture and labor simply the recognition of the Congress of the United States, which they have been demanding for the past ten or twelve years, and demanding through every organization known to agriculture and labor.

Why should they not have it? Why should not one-half of the people of the United States engaged in that great industry which is the foundation of your financial and commercial prosperity, why should they not have it? What would you do for commerce if it were not for agriculture? How much commerce would you have in the United States if it were not for that commerce which grows out of the agricultural products of the country? How much finance would you have in this country if it were not for agriculture? Who produces the balance of trade which has to-day made the credit of the United States better than that of any other nation upon the face of the globe? [Applause.] What use would we have for an interstate-commerce bill if it were not to take charge of the products of agriculture? [Laughter and applause.] Take out of the commerce between the States, wheat, corn, cotton, tobacco, rice, cattle, and hogs, and there is not a railroad in the United States to-day upon the roadbed of which grass would not grow inside of six months. [Applause.]

Mr. REAGAN. Does the gentleman inquire what we would do with our agricultural products and with our manufactured fabrics if we had no commerce and no means of transportation?

Mr. HATCH. I do not propose to get rid of commerce. I am in favor of commerce. Agriculture is in favor of commerce. The agriculturists of the country indorse your bill; and yet every time the agriculturists of the country come in here and ask for the measure of justice you roll yourself in front of its car and attempt to stop its progress. [Laughter and applause.]

Mr. REAGAN. The gentleman misrepresents my position, and he knows he misrepresents it. He knows he misrepresents my position. I have introduced a bill which I have presented and urged for two or three years, and which I reported from my committee, embracing the subjects of commerce, agriculture, and labor.

Mr. HATCH. But that is not the agricultural bill. I am simply talking of the obstacle put in the way of the passage of the bill. I

know what you have put in the bill to which you refer, and I know two-thirds of its provisions are taken from the bills introduced in the Forty-sixth and Forty-seventh Congresses establishing bureaus which are now in existence under the law.

The CHAIRMAN. The time of the gentleman from Missouri has expired. [Cries of "Vote!"]

Mr. HATCH. The gentleman from Iowa [Mr. WEAVER] has not consumed all of his time.

Mr. WEAVER, of Iowa. I yield the balance of my time to the gentleman from Missouri. [Cries of "Vote!"]

The CHAIRMAN. The gentleman from Iowa has twenty-six minutes of his time remaining.

Mr. HATCH. One of the sections of the proposed substitute contemplates the creation of a bureau of animal industry, and yet a Bureau of Animal Industry has been established under the law, and is now in existence, through the medium of a bill passed in the Forty-sixth Congress.

Mr. REAGAN. And this provides for transferring it into this new department.

Mr. HATCH. But it is already in the department, and does not need to be transferred. The trouble is, that you drew up your bill some years ago, and have not studied your question since, Judge. [Laughter and applause.]

Mr. REAGAN. The difference between us is that the gentleman from Missouri is a little in advance of the legislation on the subject. He is talking of a department that does not exist.

Mr. HATCH. But the Department of Agriculture is in existence.

Mr. REAGAN. Yes; but not as this bill provides for it. It is a very different thing as it exists from what you would make it here.

Mr. HATCH. Ah! but it is a department to-day, separate and independent, and the law declares it is. It is now the Department of Agriculture, and what we want to do is to take it out of the rut of former legislation and place it where it ought to be, make it what it should be, a department in fact as well as in name, and place a secretary over it who shall have a place in the Cabinet councils of this great nation. We have a right to demand it, and these substitutes that are offered, each of them containing some good provisions, will only obstruct and hinder the perfection of legislation upon this subject, although the time will come, after this measure has been adopted, when I will advocate on this floor the adding to this great department of some of the propositions or bureaus embraced in the substitute; but now is not the time. Our proposition is to first establish the department of agriculture and labor; and let me tell you, my friend from Texas, that thirty millions of farmers of this country will not be satisfied to establish a bureau for that purpose that does not name agriculture. [Applause.] Not a department of industries, but a department of agriculture and labor. They do not intend that that department of agriculture shall be floated on any other department, or that its name shall be blotted from the statute-books of the United States. It is there to stay as long as this country exists. [Applause.]

Mr. GIBSON, of West Virginia. Will not the effect of this bill be to blot it out?

Mr. HATCH. Not a bit of it; and you are the only gentleman on this floor that I have ever heard give utterance to such a sentiment. [Laughter and applause.] The fact that we want to dignify and give larger powers and scope and influence to it, is not to blot it out. If it is, it is a singular way of blotting out a great department of the Government.

No, we will not blot it out; and if your President is as wise as I take him to be, if you had the confidence in him that I have, if you gentlemen on this side of the House had a broader appreciation of your President [laughter], you would not only pass this bill, but you would pass it with a rush; you would be glad to pass it, because it would give the President of the United States the opportunity of calling into his Cabinet councils one more of the great representatives of the people of the United States as a safe counselor and guide; and I believe he will make as wise a selection as any President has made within the last twenty-five years. It does not matter to me whom he selects. It is not the man; it is the office, it is the position I contend for. It is the power that a representative of this great industry will have in the Cabinet councils of the country, the power he will have as a member of the Cabinet of the President of the United States. Do you suppose that his counsels will be confined simply to agriculture? The agriculturists of this country are interested in something else as well as in tilling the soil and in selling its products. They are interested in the tariff question; they are interested in the silver question, in finances; they are interested in the proper administration of the powers of the Government; they are to-day the foundation upon which rests not only your prosperity but the hope of the perpetuity of the Government of this Republic. [Applause.]

How long do you suppose free institutions would stand if they rested alone on the rotten boroughs of the cities of the country? How long? It is the fresh blood of the country districts that keeps the cities from becoming like the ancient Sodom and Gomorrah. [Laughter.] It is the healthy political sentiment of the country that keeps



to-day the political status of this country up to the high position it occupies. All the complaints about corruption, and the outrages upon the ballot, come from the cities of the land, not from the country; and the country people, the agricultural people, are interested in a proper administration of the affairs of the Government.

Now we have added, as has been stated by the gentleman from Iowa [Mr. WEAVER], a new section to this bill, transferring from the Department of the Interior to the Department of Agriculture the Bureau of Labor, enlarging its scope, its dignity and powers, and placing it where it belongs, side by side with agriculture in the country; and the secretary appointed will be the secretary of labor as well as of agriculture. He will be secretary, under this bill, of agriculture and labor, a prouder distinction than any Secretary of the American Government has ever yet borne; and the man who first receives his commission under this act will wear the proudest title that any man ever wore in America, except that of President of the United States. [Applause.]

Is it such a great thing simply to be the head of the War Department, or of the Navy Department, or to have charge of the few Indians and the lands of the country, or to run the post-offices of the country? I know my friend from Texas [Mr. REAGAN] has an idea that the greatest position in trust and responsibility upon this earth is the control of the mail service of this country. He made a magnificent postmaster-general. [Laughter and applause.] I had a high admiration for him then and I have never lost it. The fact of it is he did almost as well with the few materials he had at hand during the war in organizing the great postal service in the South as has been done even since the close of the war. I give him great credit for it. But it is nothing in comparison with the representation of thirty millions of our people who to-day are engaged directly in the pursuit of agriculture. And, my friends, let me tell you that for the first time in the history of this country the agriculturists of the country are not only well posted and advised as to the progress of these measures in the House of Representatives and the other branch of Congress, but they are posted and well advised upon all the great material interests of the country. I undertake to say not a gentleman in this House who, during the recent campaign conducted his canvass in the agricultural districts, can say he addressed an audience where more than two-thirds of them were not well posted, as well posted on these material and economic questions of the day as the speaker himself was. They are reading the papers. They know to-day what they want. They demand it through the Committee on Agriculture by all the agricultural associations of the country, and they are going to have it. This bill has passed this House twice before, and they demand its passage now; and I hope when it comes to a vote these gentlemen who have criticized the provisions of this bill will withdraw their opposition and let the vote be taken without further delay. [Applause.]

[Cries of "Vote!"]

Mr. HATCH. I ask for a vote on the substitute.

Mr. TUCKER rose.

Mr. HATCH. I yield back to the gentleman from Iowa [Mr. WEAVER] that portion of his time of which he has control.

The CHAIRMAN. The time allowed for general debate has not expired.

Mr. HATCH. I return to the gentleman from Iowa the balance of the time which he so kindly gave me.

The CHAIRMAN. The Chair has recognized the gentleman from Virginia [Mr. TUCKER].

Mr. TUCKER. What amount of time remains for general debate?

Mr. WEAVER, of Iowa. I will yield a portion of my time to the gentleman from Virginia [Mr. TUCKER]. How much time have I remaining?

The CHAIRMAN. Of the time allowed for general debate forty-five minutes remain, of which the gentleman from Iowa [Mr. WEAVER] has fourteen minutes.

Mr. WEAVER, of Iowa. I will yield five minutes to the gentleman from Virginia.

The CHAIRMAN. The Chair has recognized the gentleman from Virginia. The gentleman from Missouri [Mr. HATCH] yielded the floor and called for a vote; but the time allowed for general debate not having then expired, the Chair was in duty bound to recognize any gentleman who rose for the purpose of general debate.

Mr. TUCKER. How much time have I?

The CHAIRMAN. The gentleman has thirty-one minutes of the time allowed for general debate, and there are fourteen more controlled by the gentleman from Iowa.

Mr. TUCKER. I am much obliged for the odd minute.

The CHAIRMAN. The gentleman from Virginia will proceed.

Mr. TUCKER. Mr. Chairman, this bill has come up unexpectedly to me to-day, and therefore what I shall say will be without any preparation. I hardly know whether there is any use in raising my voice again in this Hall, as I have often done before, in behalf of an instrument nearly a hundred years old, which I find derided sometimes, and, as I fear, condemned on this floor: I mean the old Constitution of the United States.

When I had occasion some time ago to make remarks upon some other bill, the gentleman from Missouri [Mr. HATCH] was kind enough to

say that I always stood in the Hall in this central aisle, to call out "unconstitutional" when any such measure was proposed. Mr. Chairman, I know no higher functions a man who claims to be a representative of the people can have than to defend the Constitution of the United States even against the proclamation that thirty millions of farmers demand our votes for a bill that we disapprove. [Applause.] I will not vote for that bill, though thirty millions of farmers demand it, because I believe the whole tendency of the bill is unconstitutional in its character.

Gentlemen say that we have a War Department, yet we can not have the agriculturists represented in the Cabinet. Why, have gentlemen read the Constitution? Not lately, I think. [Laughter.] The power is given to Congress to raise and support armies, and to the President of the United States to command them; to declare war and to carry on war. The constitutional function is prescribed in express terms in the Constitution, and that is the reason we have a War Department. The gentleman speaks of the Navy Department. The power is given in the Constitution to provide and maintain a navy, and that is the reason there is a Department of the Navy. Gentlemen say you have a Post-Office Department. The power is given to establish post-offices and post-roads, and that is the reason you have a Post-Office Department. The power is given to lay and collect taxes and make and regulate appropriations, and that is the reason you have a Treasury Department.

Why do you have a State Department? Because the Federal Government regulates foreign affairs and the relations of this country with all foreign powers. That is the reason you have a State Department.

What else? There is a Department of the Interior. I remember, sir—I was young then, but I remember it—that when the Department of the Interior was established it was said, "You are making a reservoir, empty now, into which men will be pouring power for years to come." What was the effect? The gentleman asks why do you have the Interior Department?

It is a proper department because the public lands are to be regulated by the Government of the United States; because Indian affairs are within the compass of its powers; because pensions and patents are within the powers of the Government—the express powers of the Government. For these reasons you have the Interior Department. But, as the late Senator Carpenter once said, either on the floor of the Senate or in private conversation with me, "If you can find the word 'agriculture' in the Constitution of the United States, I will give it up." But gentlemen say we can regulate commerce. What kind of commerce? Look at the decision of Chief-Justice Marshall in the case of Gibbons against Ogden. There you will find that commerce strictly internal to the States you can not touch. It is interstate commerce, commerce with foreign countries, commerce with Indian tribes, that you can regulate—none other. What would this bill do? It proposes to regulate agriculture. Is agriculture interstate or foreign? Does the land travel from State to State?

Mr. RYAN. A good deal of it does. [Laughter.]

Mr. TUCKER. Well, we will regulate the dump which passes from one side of the river to the other, if you choose to call that an interstate matter. [Laughter.] But gentlemen say "cattle are one of the products of agriculture, and we regulate the cattle trade." How and when do we regulate it? Never, except when it passes from State to State, or from this country to some foreign country, or from some foreign country to this country. Everything that is strictly internal to the State is exclusively reserved to the power of the State. Everything that is interstate or connected with foreign commerce is for the Federal Government to regulate.

A MEMBER. Do not cattle travel from State to State?

Mr. TUCKER. When they do so travel we regulate their transportation; but when they do not travel we have nothing to do with the matter.

But, Mr. Chairman, it is said that the Department of Agriculture already exists. Very well. Let it stand. Do you want a top-heavy concern? A secretary and an assistant secretary? What for? To advise the President? What about? About agriculture? What has the President to do with agriculture? Now, Mr. Chairman, the fallacy of my friend from Missouri [Mr. HATCH] is in this. The executive power of this country is vested in the President of the United States. This is not a Government by a Cabinet.

The President may call his Cabinet together, the heads of the Departments under the Constitution, and require their advice or their opinions in writing, but there is nothing constitutional in the power of the gentlemen who are at the heads of the several Departments to make them a cabinet entitled to regulate, or even to advise, the President. The President appoints those gentlemen to the heads of their several Departments to regulate the special matters belonging to those Departments, and they are intrusted with that power because the Constitution gives to the Federal Government the regulation and control of the matters with which those Departments deal. I say again, there is no reason to establish a Department of Agriculture, because the Constitution gives to the Federal Government no power over agriculture. I hear somebody ask, *sotto voce*, what do I do with the bureau of agriculture.

Sir, that is the trouble about establishing a bureau. A bureau al-



ways longs to grow into a cabinet. [Laughter.] That is the reason that a bureau officer claims now to be grown into a cabinet officer, and my excellent friend from Missouri [Mr. HATCH] is the best cabinet-maker that I know of in this Hall. [Renewed laughter.] Gentlemen say that the bureau of agriculture is for the collection of information, and that it is part of the larger Bureau of Statistics. To that extent it may be constitutional. Gentlemen ask me then, or may ask me, how do I find it constitutional to have a bureau of statistics. How do I find it constitutional to have a great library, and a great library building, for which I voted with very great pleasure when it was brought forward by my venerable friend from Mississippi [Mr. SINGLETON], whom I see now in his seat.

Why, sir, it is the right, it is the duty of this Government, to furnish us all the means by which we can secure intelligent legislation. All that has ever been written, which is the accretion of ages, and which will give information to you and me as to the mode in which we should conduct our business here, is proper to be piled up in a Congressional library for the benefit of the representatives of the people. I voted to provide increased accommodations for that library in order that it may be as large as we need it to be.

Mr. PETERS. Do you do that under the "general-welfare" clause? Mr. TUCKER. No, sir, not under the "general-welfare" clause. I will come to the "general-welfare" clause directly. I do it under the power to pass laws "necessary and proper for carrying into execution the foregoing powers and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof." I have not the power to do my duty here unless I have the means provided by a library. The library is a necessary means to the execution of the powers vested in the legislative and other departments of the Government.

Now, Mr. Chairman, how about the Bureau of Statistics? That is a most valuable adjunct to Congress and to the whole Government. It collects information from the world at large to aid us in managing these great questions taxation and revenue, of foreign and interstate commerce. I believe in the power to establish a bureau of statistics; and so far as your statistics go into the mere question of labor and agricultural products, I have no objection to your having everything that will fulfill the informing function to this House or to the other House of Congress, or to any branch of the Government. I believe in that. But what is the necessity of establishing a Cabinet officer in order to do that. Why should you not have a department of statistics and a secretary of statistics if you have a secretary of agriculture and labor? If we are to have a secretary of agriculture, let us have a secretary of tobacco agriculture, a secretary of cereal agriculture, a secretary of cotton agriculture, because people engaged in each one of these branches of industry frequently know very little about the others; so that at last your Cabinet may be as large as the body at the other end of the Capitol.

No, sir; the only thing we have to do in making Cabinet officers and departments is to find out what are the proper business functions of this Government, and to put somebody in charge of those business functions in the Executive Department. I insist that the mere matter of the conduct of agriculture has nothing to do with this Government, because it is strictly internal to each State—does not belong to interstate affairs or to foreign affairs nor to any other granted power in the Constitution.

A friend on my right [Mr. PETERS] asked me a while ago something about the "general welfare" clause. Mr. Chairman, in the first speech I ever made in this hall, I defined, as I thought was proper, the limitation of those words in the Constitution. I have not the time (and if I had, I would not detain the House at this late hour of the evening) to go into a full discussion of that constitutional question. Before my term is over, I shall perhaps find some other opportunity to leave as a legacy to my countrymen, upon my retirement, my views on the "general welfare" clause. [Laughter.] I will insert a codicil in my will for the benefit of my friend on my right [Mr. PETERS], which will be for his particular welfare, although pertaining also to the "general welfare" of the country. [Laughter.]

The words "to provide for the common defense and general welfare" are words which, I hold, not only upon authority and contemporaneous exposition, but from the very framework of the clause itself, to be clearly indicative of the purpose of the power to lay and collect taxes—not the grant of a distinct and substantive power. When it was proposed in the convention to give to Congress power "to provide for the common defense and general welfare," the proposition was rejected. When it was proposed that Congress should have power to lay and collect taxes, in order to provide for "the common defense and general welfare," that provision was voted in. As a declaration of the purpose of the revenue power, it was voted in; as the grant of a substantive power, it was kept out.

Now, what is the meaning of "the common defense and general welfare" as declared objects of the exercise of the revenue power? "The common defense" being provided for by the clauses I have mentioned, as the war clauses and the navy clauses; and the "general welfare," by the other clauses, as to post-offices and post-roads, coinage, regulation of commerce, patents and copyrights, and all such things, the modes in which "the common defense and general welfare" were to be promoted

were thus specifically indicated in the several clauses of the eighth section of the first article of the Constitution. Therefore, "a great father of the Constitution"—if it had but one, I would mention him as "the father of the Constitution"—I mean James Madison—in one of the articles of the Federalist, written contemporaneously with the proceedings for the adoption of the Constitution in the State of New York, and urging the adoption of the instrument upon that State, explained those words as being limited in their general phraseology by the particulars mentioned—that is to say, nothing could be done in the application of money under the words, "common defense and general welfare," which was not specifically mentioned thereafter in the several clauses of the eighth section of the first article or was not necessary to support and maintain the legislative, judicial, and executive departments. Therefore, I hold that unless you can find somewhere in the Constitution the grant to Congress of a power to regulate agriculture in the way indicated in this debate, there is no power to establish a department of agriculture as one of the business departments of the executive branch of the Government.

Mr. Chairman, I have thus stated my views on this question, because I felt it due to myself not to sit quietly here and allow this bill to pass through without a protest upon grounds which I believe to be fundamental.

Mr. Chairman, if you will look at the details of this bill, which I have done to-day, you will find in the regulation of the business of the bureau of labor, the question is to be inquired into how labor is conducted in the mines, in the factories, in the workshops—to inquire into the relationship of employer and employed. That is all within the States—a matter which, according to my view, is entirely reserved to each State, and does not belong at all to the functions of the Federal Government. Therefore, I say, Mr. Chairman, the whole scheme of the bill, its whole frame-work, and all its details, indicate an enlargement of the powers of this Government beyond anything ever contemplated by the framers of the Constitution. [Applause.]

Mr. HATCH. Will the gentleman from Virginia allow me to direct his attention for one moment?

Mr. TUCKER. Certainly.

Mr. HATCH. I will then direct his attention to the fact that we have now upon the statute-book a law which involves every one of the matters he refers to.

Mr. TUCKER. Then why not let it be done by a bureau, and under a commissioner, and why elevate it into a Cabinet position?

Mr. HATCH. The proposition of the bill is to transfer it to the other.

Mr. TUCKER. Yes, I know; that is by making a Cabinet officer out of the gentleman who is now simply a Commissioner of Agriculture. That is to say, it proposes to dignify the officers of the Department, and let the plowmen stay at home between the handles of their plows. [Laughter and applause.] There is nothing which will benefit the farmers in this thing; all the benefit will come only to these bureau officers. It is not required the commissioner should be elevated to the position of a Cabinet officer.

Now I appeal to the House on both sides. I know the appeal made on the other side, that your constituents are, a great many of them, farmers, and one of these days you will have to go back to them; and then what? [Laughter and applause.]

I may say for myself that I am in that happy condition of independence in which I will never go back to my constituents for re-election. But I will say to my friend from Missouri [Mr. HATCH] that I was one of the seven who voted against this bill three or four years ago, and that I went back to my constituents and got back here all the same by their votes. [Laughter and applause.]

Mr. HATCH. I hope my friend from Virginia did not understand me to say, in any remarks submitted by me, anything about his not going back to his constituents.

Mr. TUCKER. No, I did not. I only meant to say I was one of the seven who then voted against this bill, and that when I went back to my constituents after that vote they returned me to this House all the same. [Applause.]

Mr. HATCH. It is a source of profound regret, not only to myself but to the members of the House very generally, that the gentleman from Virginia did not allow himself to go back to his constituents, so that we might have him with us in the next Congress. [Applause.]

Mr. TUCKER. I thank my friend from Missouri. I know my friend, notwithstanding our divergence of opinion in reference to the pending question, would, if he lived in that district, have nevertheless voted for me.

Mr. HATCH. Yes, with all your faults. I am like a great many Virginians. "With all your faults I love you still." [Laughter and applause.]

Mr. TUCKER. I think I could occupy no better position upon this floor than in standing up for the vindication of the Constitution of my country. [Applause.] Let me say in all honesty and sincerity, sir, I am like one lifting up his voice in the wilderness. [Laughter and applause.] Yes, as one crying in the wilderness. [Laughter.]

Mr. BUTTERWORTH. Then why do you not come over to this side? [Laughter.]

Mr. TUCKER. Well, sir, if I abandoned this side as a wilderness and went over to my friend from Ohio, I might find myself in a desert. [Laughter.]

Mr. BUTTERWORTH. It would be just as well, for you require but very little water. [Laughter and applause.]

Mr. TUCKER. My friend from Ohio is trying to immerse me in his wit and divert me from my serious purpose. I was going to say, Mr. Chairman, when my witty friend from Ohio interrupted me, that repeatedly the question is asked, what harm will this do? Just raise this Commissioner of Agriculture to the Cabinet, and what will this Cabinet officer do when he gets there more than he now does in his bureau? He will assume some of the tinsel my friend referred to, and some of the togger of a Cabinet minister, which perhaps does not belong to a Commissioner of Agriculture. But what will he do more than he does now?

Mr. COWLES. He will draw \$3,000 more of salary.

Mr. TUCKER. He will draw \$3,000 more per annum, somebody says. [Laughter.] That is doing a good thing in its way. [Laughter.] What would he do more than he does now? Why, Mr. Chairman and gentlemen of the committee, I have always noticed this, that if you appoint anybody to an office where there is nothing for him to do, he will hunt and nose around until he finds something to do. [Laughter.]

For Satan find some mischief still  
For idle hands to do.

[Laughter.]

The elevation of the Agricultural Bureau into an executive department is nothing but the creation of a reservoir into which new powers will be poured, thus increasing the patronage and power of the executive branch of the Government, already too overgrown. I am for economy and retrenchment, and am opposed to any increase of patronage and power of the Government at the expense of the people. This bill is the beginning of an increase of both, the end of which we can not see—but it will be disastrous.

Mr. PETERS. Then you are not in harmony with your Administration. [Laughter.]

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. TUCKER. May I not be allowed one word by way of benediction? [Laughter.]

The CHAIRMAN. General debate is limited by order of the House. Excepting the minute of time remaining to the gentleman from Iowa—

Several MEMBERS. Let him proceed by unanimous consent.

The CHAIRMAN. The committee can not extend the time.

Mr. WEAVER, of Iowa. I will yield to the gentleman from Virginia for a minute for his benediction.

Mr. TUCKER. Mr. Chairman, when I am confronted, as I am on this and other great questions, with the assertion, "Why, this is a useful thing; what a benefit to this or that industry by the enactment of this law," I am constrained to say I think there is no benefit to the people commensurate at all with the preservation of that great Constitution, in all of its integrity, which has descended to us as the muniment of our liberties from our ancestors. [Applause.] I would rather see the Constitution of the United States restored to its perfect integrity, as gentlemen on all sides will say it may be by a fair construction of its powers, than to see power built up in the high places, and this Government become more munificent in its benefactions to everybody, and furnish the means to promote all the jobs and schemes that can possibly be devised by the wit of man. [Applause.]

I thank the committee for its kind attention.

Mr. HATCH. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SPRINGER reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill (H. R. 5190) to enlarge the powers and duties of the Department of Agriculture, had come to no resolution thereon.

#### SUNDRY CIVIL APPROPRIATION BILL.

Mr. RANDALL, from the Committee on Appropriations, reported a bill (H. R. 10072) making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1888, and for other purposes; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. HISCOCK. I desire to reserve all points of order upon the bill.

The SPEAKER. The points of order will be reserved.

#### ENROLLED BILL SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled a bill of the following title; when the Speaker signed the same.

A bill (H. R. 1905) for the relief of Theodore W. Tallmadge.

JAMES H. GILBERT.

Mr. DUNHAM, by unanimous consent, introduced a bill (H. R. 10073) for the relief of James H. Gilbert, of Chicago, Ill.; which was

read a first and second time, referred to the Committee on Claims, and ordered to be printed.

#### PRINTING OF CORRESPONDENCE ON FISHERIES QUESTION.

Mr. DINGLEY, by unanimous consent, submitted the following resolution; which was read and referred to the Committee on Printing:

*Resolved*, That—additional copies of the President's annual message, relative to the denial by the Canadian authorities of commercial privileges to fishing vessels of the United States, with the accompanying correspondence, be printed for the use of the House.

WILLIAM FIELD.

Mr. ELY, by unanimous consent, introduced a bill (H. R. 10074) to increase the pension of William Field; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JANE THORNTON.

Mr. ELY also, by unanimous consent, introduced a bill (H. R. 10075) granting a pension to Jane Thornton; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

#### LEAVE TO PRINT.

By unanimous consent, leave was granted to Mr. SENEY to print remarks in the RECORD upon the two bankruptcy bills on the House Calendar.

Also, to Mr. MCADOO, with reference to the bill for the extension of the free-delivery system.

#### PRINTING EXTRA COPIES OF THE DIGEST.

Mr. ROGERS, by unanimous consent, submitted the following resolution; which was read, and referred to the Committee on Printing:

*Resolved*, That there be printed and bound 250 copies of the Digest of the present session, for distribution, under the direction of the Journal Clerk, to the committees of the House, officers of the two Houses, and heads of Departments and bureaus.

And then, on motion of Mr. HATCH (at 4 o'clock and 56 minutes p. m.), the House adjourned.

#### PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. C. H. ALLEN: Petition of gold and silver beaters of the United States, asking an increase of duty on certain articles—to the Committee on Ways and Means.

By Mr. BLISS: Petition of the gold and silver beaters of the United States, asking an increase of duties on certain articles—to the same committee.

By Mr. BOYLE: Petition of gold and silver beaters of the United States, asking for an increase of duty on certain articles—to the same committee.

By Mr. BUNNELL: Resolution of Association of Sixth Regiment Pennsylvania Reserves, to accompany the bill (H. R. 7814) for the relief of Leman D. Forest, late lieutenant Company F, Thirty-sixth Regiment Pennsylvania Volunteers—to the Committee on Military Affairs.

Also, petition of the gold and silver beaters of the United States, asking an increase of duty on certain articles—to the Committee on Ways and Means.

By Mr. CATCHINGS: Papers in the claim of Sarah J. Mosby, of Warren County, and of Thomas Kidd, executor of Samuel R. Bolly, of Hinds County, Mississippi—to the Committee on War Claims.

By Mr. DORGAN: Petition of citizens of Horry County, South Carolina, asking for the passage of the Hatch experiment, station bill—to the Committee on Agriculture.

By Mr. DINGLEY: Petition of Mrs. Elizabeth L. Mace, widow of Richard E. Mace, late of Company I, Third Maine Volunteers, for a pension—to the Committee on Invalid Pensions.

By Mr. GIFFORD: Petition of citizens of Brookings, Dak., praying for the passage of the bill (H. R. 2933)—to the Committee on Agriculture.

By Mr. GROUT: Resolution of the Vermont Legislature, in favor of the establishment of agricultural experiment stations in the several States—to the same committee.

Also, petition of H. P. Abbott and 23 others, citizens of Brookfield, Vt., praying for the establishment of agricultural experiment stations—to the same committee.

By Mr. HARMER: Memorial of Sarah Jane Larmour and Isabella Larmour, daughters of James Larmour, deceased, relating to pension and arrears of pension—to the Committee on Invalid Pensions.

By Mr. LIBBEY: Petition of non-commissioned officers and privates, in relation to retired-list—to the Committee on Military Affairs.

Also, papers to accompany bill for the relief of Mrs. Margaret T. Dugan—to the Committee on War Claims.

By Mr. OSBORNE: Petition of citizens of Georgia, praying for the passage of the interstate commerce bill now pending, known as the Cullom bill, with amendments—to the Committee on Commerce.

By Mr. PETERS: Petition of Jennie Lawrence, for a widow's pension—to the Committee on Invalid Pensions.



Also, petition of citizens, asking that a pension be granted to James McCaffrey—to the same committee.

Also, petition of Mrs. Eliza A. Moss, for arrears of pension—to the Committee on Pensions.

Also, statement in the claim of William K. Copeland—to the Committee on War Claims.

By Mr. T. B. REED: Petition of O. B. Scofield, for relief—to the Committee on Invalid Pensions.

By Mr. E. B. TAYLOR: Petition of the East Ohio conference of the Methodist Episcopal Church, asking for legislation protecting Chinese from spoliation and outrage—to the Committee on Foreign Affairs.

By Mr. ZACH. TAYLOR: Petition of A. V. Warr, administrator of A. H. Isabell, deceased, of Fayette County, and of Thomas E. Prewett, administrator, of Hardeman County, Tennessee, asking that their claims be referred to the Court of Claims—to the Committee on War Claims.

Also, petition of J. B. Hills, administrator of the estate of Dr. John Millington, of Shelby County, Tennessee, asking that his claim be referred to the Court of Claims—to the same committee.

By Mr. TOWNSHEND: Petition of citizens of White and Hamilton Counties, Illinois, praying that a pension be granted to Andrew J. Nanny, Company B, Fifty-sixth Regiment Illinois Volunteers—to the Committee on Invalid Pensions.

Also, petition of citizens of White County, Illinois, praying for the passage of a bill granting a pension to William Carroll, late of Company D, Thirty-sixth Ohio Volunteers—to the same committee.

By Mr. WADE: Petition of E. L. Weaver, administrator of Felix B. Weaver, deceased, and of W. S. Norfleet, administrator of G. P. Shackelford, deceased, of Greene County, Missouri, asking that their war claims be referred to the Court of Claims—to the Committee on War Claims.

By Mr. WILLIAM WARNER: Affidavit in the claim of William Whitehouse—to the same committee.

## HOUSE OF REPRESENTATIVES.

FRIDAY, December 10, 1886.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D., as follows:

Almighty and Everlasting God, again this House has been stricken by the hand of death, and another seat is made empty. Console and comfort the wife and the children thus rendered desolate, widowed, and fatherless. Be Thou the stay and the cheer of their hearts in this sudden and awful bereavement. Impress us all in the presence of this ninth death of the House during this Congress with the sense that in the midst of life we are in death; and therefore whatsoever our hands find to do, help us to do it with our might, for there is no work nor device, nor knowledge, nor wisdom in the grave, whither we all are going. O God! be Thou the strength of our hearts and our portion forever. We humbly ask, through Jesus Christ our Lord. Amen.

The Journal of yesterday's proceedings was read and approved.

### ORDER OF BUSINESS.

Mr. TIMOTHY J. CAMPBELL rose.

Mr. RICHARDSON: On the 23d of July the bill (H. R. 5194) was made a special order for this day, immediately after the reading of the Journal. On account of the announcement about to be made by the gentleman from New York [Mr. TIMOTHY J. CAMPBELL], I now ask that that bill be made the special order for next Friday immediately after the reading of the Journal.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to postpone the special order indicated by him until next Friday, immediately after the reading of the Journal.

There was no objection, and it was so ordered.

### DEATH OF HON. ABRAHAM DOWDNEY.

Mr. TIMOTHY J. CAMPBELL. Mr. Speaker, it is with sorrow and regret I have to announce to this House the death of one of its members, Hon. ABRAHAM DOWDNEY, one of my associates in the representation of the city of New York. As he was entering his house last evening he was stricken with apoplexy, and died at 8 o'clock this morning. I offer the resolutions which I send to the Clerk's desk.

The Clerk read as follows:

*Resolved*, That the House has heard with profound regret the announcement of the death of Hon. ABRAHAM DOWDNEY, late a Representative from the State of New York.

*Resolved by the House of Representatives (the Senate concurring)*, That a select joint committee, consisting of seven members of the House and three members of the Senate, be appointed to attend the funeral, and the necessary expenses attending the execution of this order be paid out of the contingent fund of the House.

*Resolved*, That the Sergeant-at-Arms of the House be authorized and directed to take such steps as may be necessary for properly carrying out the provisions of this resolution.

*Resolved*, That the Clerk communicate the foregoing resolutions to the Senate.

*Resolved*, As a further mark of respect to the memory of the deceased, that the House do now adjourn.

The resolutions were unanimously agreed to; and in accordance therewith (at 12 o'clock and 17 minutes p. m.) the House adjourned.

### PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. G. E. ADAMS: Petition relating to ventilation on passenger steamships—to the Committee on Commerce.

By Mr. BAKER: Petition of Hon. Leonard Burritt, William B. Arnold, J. D. Decker, and others, of Monroe and Orleans Counties, New York, for the improvement of the harbor at Trontsburg, on Lake Ontario, New York, on the line between Orleans and Monroe Counties—to the Committee on Rivers and Harbors.

By Mr. FINDLAY: Petition of gold and silver beaters of the United States, asking an increase of duty on certain articles—to the Committee on Ways and Means.

By Mr. HJESTAND: Petition of gold and silver beaters of the United States, asking an increase of duty on certain articles—to the same committee.

By Mr. JACKSON: Petition of 22 citizens of Darlington, Pa., asking for the passage of the Hatch experiment-station bill in the interest of agriculture—to the Committee on Agriculture.

By Mr. LYMAN: Petition of gold and silver beaters of the United States, asking an increase of duty on certain articles—to the Committee on Ways and Means.

By Mr. MILLARD: Petition of gold and silver beaters of the United States, asking for an increase of duty on certain articles—to the same committee.

By Mr. O'HARA: Petition of gold and silver beaters of the United States, asking increase of duty on certain articles—to the same committee.

By Mr. CHARLES O'NEILL: Petition of gold and silver beaters of the United States, for increase of duty on certain articles—to the same committee.

By Mr. PARKER: Petition of gold and silver beaters of the United States, for relief—to the same committee.

By Mr. PETERS: Petition of Women's Christian Temperance Union of Kansas, favoring the Blair educational bill—to the Committee on Education.

By Mr. RICE: Petition of E. A. Harwood and others, of North Brookfield, Mass., for agricultural experiment stations—to the Committee on Agriculture.

By Mr. STAHLNECKER: Petition of gold and silver beaters of the United States, asking an increase of duty on certain articles—to the Committee on Ways and Means.

By Mr. VIELE: Petition of gold and silver beaters of the United States, asking for an increased duty on certain articles—to the same committee.

By Mr. WAIT: Petition of gold and silver beaters of the United States, asking an increase of duty on certain articles—to the same committee.

By Mr. WEBER: Petition of gold and silver beaters of the United States, asking an increase of duty on certain articles—to the same committee.

## HOUSE OF REPRESENTATIVES.

SATURDAY, December 11, 1886.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

The following additional members appeared and took their seats: Messrs. O'DONNELL, LOWRY, HOWARD, HOUK, SMALLS, and BALLENTINE.

### FUNERAL OF HON. ABRAHAM DOWDNEY.

The SPEAKER announced, under the resolution of the House, the following as the committee to attend the funeral of Hon. ABRAHAM DOWDNEY: Mr. TIMOTHY J. CAMPBELL, Mr. VIELE, Mr. MERRIMAN, and Mr. MULLER, of the city of New York; Mr. O'NEILL, of Missouri; Mr. BRADY, and Mr. SCRANTON.

### CONTINGENT FUND OF STATE DEPARTMENT.

The SPEAKER laid before the House a letter from the Secretary of State, transmitting detailed statements of the expenditures of the contingent fund and of all disbursements by the disbursing clerk of that Department; which was referred to the Committee on Expenditures in the State Department, and ordered to be printed.

### TREATIES WITH KANSAS INDIANS.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting with inclosures an amendment to the estimates for fulfilling treaties with the Kansas Indians for 1888, Book of Estimates, page 137; which was referred to the Committee on Indian Affairs, and ordered to be printed.